

ORDINANCE NO. 998

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE KETCHUM MUNICIPAL CODE, TITLE 17, CHAPTER 17.32, GENERAL RESIDENTIAL - HIGH DENSITY DISTRICT, CHAPTER 17.52, TOURIST DISTRICT CHAPTERS 17.56 AND 17.60, TOURIST-3000 ZONING DISTRICT, TOURIST-4000 ZONING DISTRICT; AND CHAPTER 17.124, ACCESSORY BUILDINGS AND USES BY ADDING AN INCENTIVE INCLUSIONARY HOUSING PROVISION; MODIFYING PERMITTED AND CONDITIONAL USES; CREATING TABLES FOR SETBACK REGULATIONS FOR CLARITY; ESTABLISHING MAXIMUM FLOOR AREA RATIOS; REPLACING LOT COVERAGE REQUIREMENTS WITH OPEN SITE AREA REQUIREMENTS; INCREASING HEIGHT FOR PITCHED ROOFS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A CODIFYING CLAUSE; BY PROVIDING A REPEALER CLAUSE; BY PROVIDING FOR PUBLICATION BY SUMMARY; AND BY PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has determined through analysis of the General Residential High Density District, Tourist District, Tourist-3000 Zoning District, Tourist-4000 Zoning District and KMC 17.124 Accessory Buildings and Uses that certain provisions and regulations are outdated, do not reflect the Comprehensive Plan, and do not promote the types of development desired in such zones; and

WHEREAS, the Ketchum Comprehensive Plan gives direction for a variety of changes to Zone Districts to promote housing, ensure density is compatible with neighborhoods, provide for open space in new developments and generally encourage creative design; and

WHEREAS, the 2001 *City of Ketchum Comprehensive Plan*, states on page 104 that the City will “Ensure the long term supply of desirable housing of all types in Ketchum” and “Promote the development and maintenance of affordable housing in Ketchum”; and

WHEREAS, the *Comprehensive Plan* cites the 1997 *Ketchum Housing Needs Assessment* which documents the existing and future housing needs for the entire Wood River Valley;” and

WHEREAS, in 1998 the Ketchum Housing Authority and the Blaine County Housing Authority adopted Housing Guidelines to establish a framework for identifying specific housing programs and to set standards for developing affordably priced housing units; and

WHEREAS, the *Idaho Local Land Use Planning Act*, 67-6508 (l) requires the City’s *Comprehensive Plan* to provide an analysis of housing needs and plans for the provision of affordable housing, and this Ordinance is intended to implement the goals of the *Comprehensive Plan* to meet the requirements of the State of Idaho; and

WHEREAS, the health, safety and welfare of the citizens of the City of Ketchum is dependent upon a reasonable supply of affordable deed restricted workforce housing being made available to ensure that critical professional workers, essential services personnel, and service workers live within proximity to their work to provide municipal and private sector services; and

WHEREAS, the economic vitality, well-being of the citizens and character of the City of Ketchum is dependent upon a reasonable supply of affordable deed restricted workforce housing, and that persons employed in providing visitor and residential services, as well as persons such as medical personnel, peace officers, emergency personnel, fire personnel, and providers of other professional services, which are vital to the community, are dependent upon the availability of affordable workforce housing; and

WHEREAS, the *July 2006 Blaine County Housing Needs Assessment Update* conducted a household survey and found that 81.5% of people living in the North Valley felt that employees finding affordable housing was the most critical problem or one of the more serious problems in the region; and

WHEREAS, the City of Ketchum concurs with and desires to utilize the Blaine-Ketchum Housing Authority (BKHA) *Community Housing Guidelines 2005-2006* (Guidelines) which identifies a range of income categories for households who earn up to 140% of the Area Median Income (AMI); and

WHEREAS, the City of Ketchum will give consideration to and desires to use these income categories for determining the target income levels for workforce housing development, the estimation of affordable prices for workforce housing and for other data necessary to construct reasonable methodologies for the provision of workforce housing; and

WHEREAS, the City recognizes that the lack of affordable workforce housing units is a regional issue that must be addressed as a shared responsibility between jurisdictions in the Wood River Valley through cooperative and compatible planning efforts; and

WHEREAS, the City has reviewed the efforts of Blaine County, and the cities of Sun Valley and Hailey, all of whom have adopted inclusionary housing ordinances requiring that new residential subdivisions include deed-restricted affordable housing units be provided equal to 20% of the market rate units; and

WHEREAS, the provision of affordable workforce housing in the zoning districts identified in this Ordinance as outlined herein is an option for developers, based on an incentive of increased density; and

WHEREAS, the Planning and Zoning Commission and City Council believe that the entirety of the guidelines in this ordinance provide for a balanced package of land use regulations that will ensure that the option of providing the additional workforce housing units will not reduce light and air, cause overcrowding of land, or in other ways reduce the quality of life in surrounding neighborhoods, but will in fact increase the vibrancy of city neighborhoods due to the presence of full time residents; and

WHEREAS, the option of choosing to build at higher densities within these zones, accompanied by the provision of 20% of that increased density being restricted to workforce housing units between 80% and 200% of Area Median Income will advance a legitimate government interest, public purpose and public welfare of the citizens of Ketchum; and

WHEREAS the option of choosing to build at higher densities within this zone, accompanied by the provision of 20% of that increased density being restricted to workforce housing units is reasonably related to providing a much needed supply of affordable workforce housing; and

WHEREAS the City has analyzed the above-referenced studies, guidelines and other relevant documents in the preparation of this ordinance; and

WHEREAS, other changes to the above-referenced zones proposed in this ordinance are deemed necessary to make such zones more compatible with the goals and policies of the Ketchum Comprehensive Plan; and;

WHEREAS, all of the changes proposed herein have been considered in work sessions and public hearings of the Planning Board and City Council, including numerous opportunities for public input;

WHEREAS, the Planning and Zoning Commission for the City of Ketchum has recommended the herein changes to the Ketchum Municipal Code based upon its analysis of collected data, its public work sessions and public hearings, as well as suggestions from property owners; and

WHEREAS, the City Council has reviewed the Planning and Zoning Commission recommendation and made modifications based on their own analysis, and public input at Council work sessions and public hearings; and

WHEREAS, the Mayor and City Council for the City of Ketchum hereby adopts the above findings so as to further the Purpose and Intent of the Zoning District regulations in the City, consistent with the *Comprehensive Plan*.

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

SECTION 1. That Chapter 17.32, General Residential – High Density District, 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:

The purpose of the GR-H, General Residential - High Density District, is to accommodate the need for higher density residential land use alternatives within a district generally limited to residential uses while still preserving neighborhood amenities and favorable aesthetic surroundings. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone, and to encourage articulation and quality design in new buildings.

A. Uses Permitted.

1. Any use permitted in GR-L, General Residential - Low Density District,
2. Multiple-family dwelling,
3. Day care home or day care facility,
4. Accessory buildings and uses as permitted in Section 17.124.010, and
5. Townhouse development;

B. Conditional Uses Permitted. The following uses are permitted upon issuance of a conditional use permit by the Commission:

1. Day care center, provided the following minimum criteria are met:
 - a. Hours of operation shall be limited to seven-thirty a.m. to six p.m., Monday through Friday,
 - b. Outdoor play hours shall be limited to nine a.m. to five p.m., Monday through Friday,
 - c. Sight proof fencing, landscaping and/or additional setback shall be provided between any outdoor play area and adjacent residential uses as deemed necessary by the Commission,
 - d. Outdoor play structures and equipment shall not be located in the front yard,
 - e. In townhouse and condominium projects, facilities shall require written approval from homeowner association,
 - f. On-site drop-off/pick-up parking spaces may be required to be designed to prevent vehicles from backing onto the roadway, as deemed necessary by the Commission, and
 - g. The conditional use permit shall be valid indefinitely and shall only be reviewed upon written complaint. No conditional use permit shall be revoked solely due to complaints; the Commission must determine that the conditions of the permit have not been met or that excessive problems related to the day care business have occurred,
- ~~2. Hospital,~~
2. Medical and dental clinic,
- ~~4. Nursing home or sanitarium,~~
3. Planned unit development (residential),
- ~~6. Professional and executive offices,~~
4. Public use,
5. Semi-public use, and
6. Off-street private parking areas for multiple-family dwellings within two hundred fifty (250) feet of parking area;

C. Minimum Area of Lot. The total lot area shall be not less than eight thousand (8,000) square feet, and shall not be less than two thousand (2,000) square feet for each dwelling unit unless the health district determines that additional area is required to meet minimum health standards;

D. Minimum Area of Townhouse Sublot. Shall be equal to that of the perimeter of an individual townhouse unit measured at the foundation and along any common party wall;

E. Minimum Width of Lot - eighty (80) feet;

~~**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;~~

~~F. Minimum Side and Rear Yard Setbacks. The minimum distance of any building from each 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 fifteen (15) feet. The minimum distance of any building from each side 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 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. **NOTE: CHANGED TO A CHART FOR CLARITY: NO CHANGES PROPOSED**~~

The following table establishes setbacks within the General Residential - High Density Zone. 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.

<u>Setback</u>	<u>Minimum in Feet</u>
<u>All sides on Warm Springs Road</u>	<u>30' for all buildings</u>
<u>All sides Highway 75 where the ROW is 80 feet</u>	<u>25'</u>
<u>All sides Highway 75 where the ROW is 66 feet</u>	<u>32'</u>
<u>Side and Rear abutting a more restrictive zone district</u>	<u>Setbacks from the abutting district shall apply</u>
<u>Side and Rear abutting the 200 foot section of the former railroad right of way</u>	<u>5'</u>
<u>Side and Rear abutting the 200 foot section of the former railroad right of way, single family and duplexes</u>	<u>3'</u>
<u>Front</u>	<u>15'</u>
<u>Side</u>	<u>1 foot for every 3' or fraction of a foot of building height, but no less than 5'</u>
<u>Side, Single Family</u>	<u>1 foot for every 3' or fraction of a foot of building height, but no less than 10'</u>
<u>Rear</u>	<u>1 foot for every 3' or fraction of a foot of building height, but no less than 15'</u>
<u>Rear, Single Family</u>	<u>15'</u>

G. Minimum Front, Side and Rear Yards for a Townhouse Development. Shall be as required in Subsections F-H of this Section except that townhouse units shall be allowed zero setbacks from the lot lines created by a townhouse development;

H. Maximum Floor Area Ratios.

1. All new buildings and alterations to existing buildings shall be subject to the maximum floor area ratio described below.

Permitted

Gross FAR: 0.5

Gross FAR: for areas with groundwater issues* that preclude underground parking: 1.2

Inclusionary Housing Incentive

Gross FAR: 1.6

Gross FAR: 1.7

*groundwater issues that preclude underground parking must be documented by a certified engineer to the satisfaction of the City.

2. Inclusionary Housing Incentive

- a. The purpose of this section is to encourage new development in this zoning district to include a reasonable supply of affordable and resident occupied workforce housing for sale or rent, to help meet the demand and needs for housing of the community's employees with incomes between 80% and 200% of the Area Median Income. Land within the GR-H Zone may be built to a FAR of 0.5, or 5,000 gross square feet, whichever is greater. As an incentive to build community housing units, floor area may be increased up to a FAR of 1.6 if a percentage of the increased floor area is dedicated community housing.
- b. An increased F.A.R. may be permitted up to a maximum of 1.6 subject to design review approval, and provided that all of the following conditions are met:
 - i. A minimum of twenty (20%) percent of the total increase in gross floor area above the greater of 0.5 FAR or 5,000 gross square feet is deed restricted in perpetuity as Community Housing Unit(s). Of this gross square footage, a fifteen percent (15%) reduction will be allowed as a standard discount from gross square footage to net liveable square footage for Community Housing units.
 - ii. Any fraction of Community Housing requirements may be paid via a fee-in-lieu of housing. The fraction of Community Housing Units times the fee equals the amount due to the City. The fee-in-lieu shall be recommended by the governing Housing Authority on an annual basis and adopted by the City Council. The developer has the option of providing a full housing unit rather than paying the fee-in-lieu or working with the City or other non-profit entity to construct the balance of the Community Housing unit with additional funds.
 - iii. All Community Housing Units, either for sale or rent, shall be administered by the governing Housing Authority, unless otherwise determined by the City Council. The governing Housing

Authority shall recommend the types, locations and categories of all proposed Community Housing Units for approval by the City.

iv. All Community Housing Units shall be within the governing Housing Authority Income Categories. The definition of Community Housing Units shall be pursuant to the governing Housing Authority Guidelines within the Section titled Definitions. The definition of who may qualify to purchase or rent affordable housing shall be maintained in the governing Housing Authority Guidelines and adopted by the City Council. Each of these definitions is subject to change from time to time at the discretion of the governing Housing Authority Board of Directors.

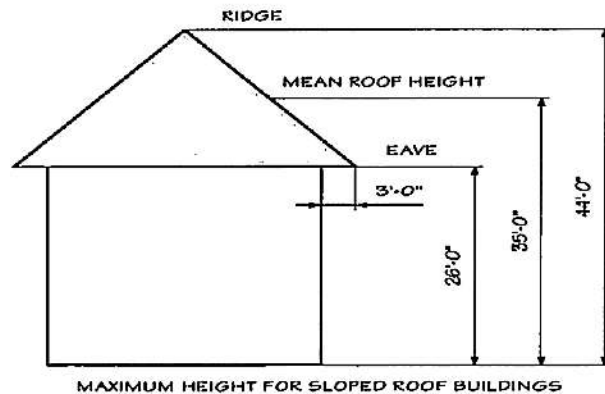
v. The City's goal is to encourage the construction of whole units, and not to create a program for fee in-lieu for whole units. However, the City Council may consider a request by the property owner to pay a fee in-lieu for the construction of a complete community housing unit or other such considerations as the City Council deems appropriate. The City Council has full discretionary power to determine said request. Said in-lieu payment is not bound by any adopted fee schedule and is subject to negotiation on a case by case basis.

c. Land within the GR-H with groundwater issues that preclude the construction of underground parking may be built to a gross FAR of 1.2 and a net FAR of 1.0. As an incentive to build community housing units, floor area may be increased up to a FAR of 1.7 if a percentage of the increased net livable floor area is dedicated to community housing at a ratio of 1:1 net livable community housing floor area to market rate housing.

I. Maximum Height of Buildings

1. For buildings with a roof pitch under 5:12 or for mansard roof buildings, the maximum building height shall be 35 feet.

2. For buildings with a roof pitch greater than 5:12 the maximum height to the mean point of the ridge or ridges measured from eave line to the ridge top shall be 35'. Roof ridges above the mean point may extend up to a height of 44'.



J. Minimum Open Site Area- To maintain a sense of open space in all new building sites, a minimum amount of open site area of 35% is required of all projects.

a. This minimum open site area shall be a percentage of the total development parcel.

b. The required open site area shall be exclusive of buildings, structures, parking areas, driveways, cul-de-sacs or streets. A maximum of five percent (5%) of the open site area may be used for private decks or patios and walkways subject to design review approval.

~~J. — Maximum Height of Buildings and Structures — thirty five (35) feet;~~

~~K. — Maximum Building Coverage. — Not more than forty (40) percent of the lot area shall be covered by the principal building(s) including garages accessory to such buildings, and not more than seventy five (75) percent of the lot area shall be covered by buildings, accessory buildings, parking areas and other impermeable uses as may be permitted in the district. (Ord. 768 § 1, 1999; Ord. 765 § 5, 1999; Ord. 208 § 7B, 1974~~

SECTION 2. That Chapter 17.52, Section 17.52.010 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:

The purpose of the T, Tourist District, is to provide the opportunity for high density residential and tourist use, land ownership and development including certain restricted business and personal service establishments in conjunction with such use, which can be justified on the basis of the primary use within the district. Tourist district classifications are intended to be carefully placed in the neighborhood structure to assure the closest possible compatibility with

the surrounding uses and development. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone, and to encourage articulation and quality design in new buildings. The Tourist Zone contains several distinct areas, including the Entrance Corridor, Second Avenue, River Run, Warm Springs Base Area and Saddle Road. The Ketchum Comprehensive Plan provides policy and land use guidance for each of these specific areas.

A. Uses Permitted.

1. Any use permitted in the GR-H, General Residential - High Density District,
- ~~2. Hospitals,~~
2. Nursing homes and sanitariums,
3. Medical and dental clinics,
4. Boarding and rooming houses,
5. Tourist homes,
6. Hotels, motels and lodges,
- ~~8. Offices,~~
7. Membership clubs,
8. Restaurants, including bar and outside seating,
9. Personal service establishments limited to the following: beauty salons and related services, florist sales, magazine outlets,
10. Accessory buildings and uses as permitted by Section 17.124.010,
11. Time share occupancy,
12. Tourist housing accommodations,
13. Retail store, provided the total floor area is less than two thousand five hundred (2,500) square feet,
14. Repair shop limited to skis, ski equipment, golf, bicycle, tennis, fishing and small personal nonmotorized sports equipment,
15. Day care home, day care facility or day care center; provided, it is not located within the avalanche zone; and,
16. Athletic facilities, exercise and dance studios.

B. Conditional Uses. The following uses may be permitted upon the issuance of a conditional use permit by the Planning and Zoning Commission:

1. Public use,
2. Semi-public uses,
3. Planned unit development, including Hotels that exceed the bulk and other requirements herein, subject to Section K.3, below.
4. Banks, savings and loan, and financial institutions,
5. Recreation uses,
- ~~6. Offices,~~
7. Off-street parking areas, as outlined in Section 17.124.060, and
 - ~~a. The following information is to be submitted as part of the application for the conditional use permit for an off street parking area:~~
 - ~~i. A site plan drawn to an appropriate scale showing the proposed number of parking spaces, size of the lot and general circulation within the lot (including skier access to~~

- ~~Bald Mountain if the parking area is near base facilities), ingress and egress from the City right-of-way, and existing landscaping;~~
- ~~ii. Proposed fencing of the lot and gate(s);~~
 - ~~iii. A plan showing location of required snow storage areas (snow storage area shown in square feet);~~
 - ~~iv. A plan showing scale drawings of proposed signs;~~
 - ~~v. Hours and days of operation.~~
- ~~b. The Commission shall determine whether the following requirements have been or will be met:~~
- ~~i. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the City right-of-way.~~
 - ~~ii. Trash shall be removed daily from the parking area.~~
 - ~~iii. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the Commission.~~
 - ~~iv. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the City street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.~~
 - ~~v. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:
 - ~~(A) Forty five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.~~
 - ~~(B) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.~~
 - ~~(C) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.~~~~
 - ~~vi. The parking area is consistent with the tourist zoning designation within which the lot is located.~~
 - ~~vii. Permanent landscaping is used to help assure that the character of neighborhood as allowed under the applicable~~

~~zoning ordinances is not significantly altered. The Commission shall determine on a case-by-case basis if permanent landscaping is appropriate, including analysis of riparian areas.~~

~~viii. Curb cuts shall be located away from major intersections and off-high volume roadways.~~

~~e. Minimum Conditions for Seasonal Parking Lots.~~

~~i. Approved applications shall be valid until May, 2000, at which time they shall be reviewed, amended if necessary and approved. Thereafter, applications shall be valid for three years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have the authority to waive such requirement only upon a showing of good cause.~~

~~ii. Season parking passes only may be sold, unless the lot contains more than one hundred (100) spaces. Lots over one hundred (100) spaces may sell daily parking passes. Lots which include daily parking must designate at least fifty (50) percent of the approved spaces as daily parking, excluding the spaces designated for employees. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full.~~

~~iii. Conditional use permits shall not be transferred.~~

~~iv. Hours of operation shall be from seven a.m. to seven p.m. Appropriate signs indicating hours of operation shall be posted at each entry.~~

~~v. A dustless material shall be placed from the City right-of-way onto the lot extending a minimum of thirty (30) feet from the edge of the pavement.~~

~~vi. Trash shall be picked up daily.~~

~~d. All other requirements of the applicable zone shall be satisfied,~~

~~7. Off street parking accessory to a primary residential or tourist lodging use which is greater than one space per sleeping room, and/or:~~

~~Off street parking accessory to all other primary uses which is in excess of the requirements set forth in Section 17.124.060, Off Street Parking Space, by more than twenty five (25) percent or fifteen (15) parking spaces, whichever is greater,~~

~~Together with standards for evaluation of applications for conditional-use permits for such accessory off-street parking, described in this Section, as follows:~~

- ~~a. Off street parking accessory to a principal use does not serve the general public using off-site facilities and services.~~
- ~~b. Vehicular traffic generated from the parking area minimizes conflict with pedestrians.~~
- ~~c. Vehicular traffic flows safely and uninhibited within the parking area and onto adjacent streets and primary arterial roadways.~~
- ~~d. Parking areas have functional aisle dimensions, back-up space and turning radii.~~
- ~~e. Parking areas are located so not to adversely impact adjacent properties with regard to noise, lights and visual consideration.~~
- ~~f. Curb cuts are located away from major intersections and off high volume roadways.~~
- ~~g. Adequate snow storage areas are provided;~~
- C. Minimum Area of Lot.** The minimum lot area shall not be less than eight thousand (8,000) square feet and shall not be less than two thousand (2,000) square feet per dwelling unit for multiple family dwellings unless the health district determines that additional area is required to meet minimum health standards;
- D. Minimum Area of Townhouse Sublot.** Shall be equal to that of the perimeter of an individual townhouse unit measured at the foundation and along any common party wall;
- E. Minimum Width of Lot - eighty (80) feet;**
- ~~**F. Minimum Front Yard.** Fifteen (15) 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;~~
- F. 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;

The following table establishes setbacks within the Tourist Zone. If a lot adjoins a more restrictive district on the side or rear, the more restrictive side and rear yard setbacks of that district shall apply.

Setback	Minimum in Feet
All sides on Warm Springs Road	30' for all buildings
All sides Highway 75 where the ROW is 80 feet	25'
All sides Highway 75 where the ROW is 66 feet	32'
Side and Rear abutting a more restrictive zone district	Setbacks from the abutting district shall apply
Side and Rear abutting the 200 foot section of the former railroad right of way	5'
Side and Rear abutting the 200 foot section of the former railroad right of way, single family and duplexes	3'
Front	15'
Side	1 foot for every 3' or fraction of a foot of building height, but no less than 5'
Side, Single Family	1 foot for every 3' or fraction of a foot of building height, but no less than 10'
Rear	1 foot for every 3' or fraction of a foot of building height, but no less than 10'
Rear, Single Family	15'

G. **Minimum Front, Side and Rear Yards for a Townhouse Development.** Shall be as required in Subsections F-I of this Section except that townhouse units shall be allowed zero setbacks from the lot lines created by a townhouse subplot;

H. **Maximum Floor Area Ratios.**

1. All new buildings and alterations to existing buildings shall be subject to the maximum floor area ratio (FAR) described below. Hotels that meet the definition of Hotel found in Chapter 17.08 may exceed the floor area listed below subject to section 3 below.

Permitted
Gross FAR: 0.5

Inclusionary Housing Incentive
Gross FAR: 1.6

2. Inclusionary Housing Incentive:

a. The purpose of this section is to encourage new development in this zoning district to include a reasonable supply of affordable and resident occupied workforce housing for sale or rent, to help meet the demand and needs for housing of the community's employees with

incomes between 80% and 200% of the Area Median Income. Land within the Tourist Zone may be built to a FAR of 0.5 or 5,000 gross square feet, whichever is greater. As an incentive to build community housing units, floor area may be increased up to a FAR of 1.6 if a percentage of the increased building square footage above the greater of 0.5 FAR or 5,000 gross square feet is dedicated community housing.

b. An increased FAR may be permitted up to a maximum of 1.6, subject to design review approval, and provided that all of the following conditions are met:

- i. A minimum of twenty percent of the greater of 0.5 FAR or 5,000 gross square feet is deed restricted in perpetuity as Community Housing Unit(s). Of this gross square footage, a fifteen percent (15%) reduction will be allowed as a standard discount from gross floor area to net liveable square footage of the Community Housing units.
- ii. Any fraction of Community Housing requirements may be paid via a fee-in-lieu of housing. The fraction of Community Housing Units times the fee equals the amount due to the City. The fee-in-lieu shall be recommended by the governing Housing Authority on an annual basis and adopted by the City Council. The developer has the option of providing a full housing unit rather than paying the fee-in-lieu or working with the City or other non-profit entity to construct the balance of the Community Housing unit with additional funds.
- iii. All Community Housing Units, either for sale or rent, shall be administered by the governing Housing Authority, unless otherwise determined by the City Council. The governing Housing Authority shall recommend the types, locations and categories of all proposed Community Housing Units for approval by the City.
- iv. All Community Housing Units shall be within the governing Housing Authority Income Categories. The definition of Community Housing Units shall be pursuant to the governing Housing Authority Guidelines within the Section titled Definitions. The definition of who may qualify to purchase or rent affordable housing shall be maintained in the governing Housing Authority Guidelines and adopted by the City Council. Each of these definitions is subject to change from time to time at the discretion of the governing Housing Authority Board of Directors.
- v. The City's goal is to encourage the construction of whole units, and not to create a program for fee in-lieu for whole units. However, the City Council may consider a request by the property owner to pay a fee in-lieu of constructing a complete community housing unit, or other such

considerations as the City Council deems appropriate. The City Council has full discretionary power to determine said request. Said in-lieu payment is not bound by any adopted fee schedule and is subject to negotiation on a case by case basis.

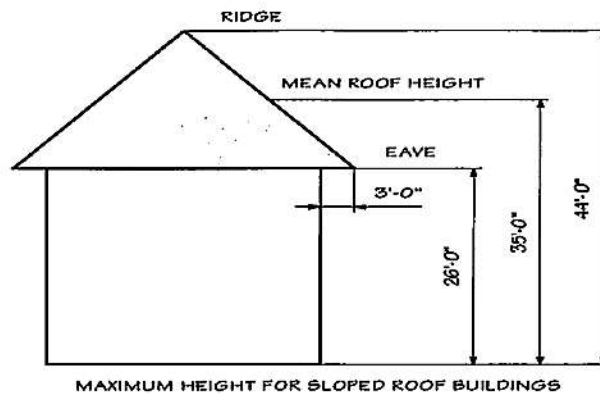
3. **Hotels:** Hotels which meet the definition of Hotel in Chapter 17.08 may exceed the maximum floor area and height or minimum open site area requirements of this chapter subject to the following review process:

- a. A Planned Unit Development shall be prepared for the proposal and approved by the City which specifically outlines the waivers to bulk regulations requested.
- b. A subarea analysis shall be prepared which addresses the Comprehensive Plan designation for the subarea; impacts of the proposed hotel on the character and scale of the surrounding neighborhood; impacts on proposed height and mass relative to the City's Design Review Standards and the PUD Standards, and the appropriateness of the subarea for a hotel which exceeds the bulk requirements of this Section.

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

- 1. For buildings with a roof pitch under 5:12 or for mansard roof buildings, the maximum building height shall be 35 feet.

- 2. For buildings with a roof pitch greater than 5:12 the maximum height to the mean point of the ridge or ridges measured from eave line to the ridge top shall be 35'. Roof ridges above the mean point may extend up to a height of 44'.



~~L. **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. 937 § 17.52.010, 2004; Ord. 826 § 10A, 1999; Ord. 769 § 1, 1999; Ord. 765 § 6, 1999; Ord. 734 § 1, 1999; Ord. 732 § 1 [part], 1998; Ord. Ord. 208 § 10A, 1974)~~

J. Minimum Open Site Area- To maintain a sense of open space in all new building sites, a minimum amount of open site area of 35% is required of all projects.

a. This minimum open site area shall be a percentage of the total development parcel.

b. The required open site area shall be exclusive of buildings, structures, private decks or patios, parking areas, driveways, cul-de-sacs or streets. A maximum of five percent (5%) open site area may be used for private decks or patios and walkways subject to design review approval.

SECTION 3. That Section 17.56.010 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:

The purpose of the T-3000 Zoning District is to provide the opportunity for short-term tourist accommodations with limited tourist support services subordinate to and in conjunction with tourist housing. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone, and to encourage articulation and quality design in new buildings.

A. Uses Permitted.

1. Any uses permitted in GR-L, GR-H, LR-2, STO-1, STO-4, STO-H and LR,
2. Tourist housing accommodations including hotels, motels, lodges, boarding and rooming houses, and bed and breakfast establishments,
3. Restaurant and bars, personal service establishments, repair shops all subordinate to and operated within tourist housing, the total of the above uses not to exceed ten (10) percent of the gross floor area of the tourist housing facility,
4. Day care home, day care facility, or day care center, provided it is not located within the avalanche zone,
5. Planned unit development, and
6. Time share occupancy;

B. Conditional Uses.

1. Off-Street Parking Areas, as outlined in Section 17.124.060.

~~a. The following information is to be submitted as part of the application for the conditional use permit for an off street parking area:~~

~~i. A site plan drawn to an appropriate scale showing the proposed number of parking spaces, size of the lot and~~

- general circulation within the lot (including skier access to Bald Mountain if the parking area is near base facilities), ingress and egress from the City right of way, and existing landscaping;
- ii. ~~Proposed fencing of the lot and gate(s);~~
 - iii. ~~A plan showing location of required snow storage areas (snow storage area shown in square feet);~~
 - iv. ~~A plan showing scale drawings of proposed signs, and~~
 - v. ~~Hours and days of operation.~~
- b. ~~The Commission shall determine whether the following requirements have been or will be met:~~
- i. ~~Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the City right of way.~~
 - ii. ~~Trash shall be removed daily from the parking area.~~
 - iii. ~~The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the Commission.~~
 - iv. ~~Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the City street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.~~
 - v. ~~The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:~~
 - (A) ~~Forty five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.~~
 - (B) ~~All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.~~
 - (C) ~~The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.~~
 - vi. ~~The parking area is consistent with the tourist zoning designation within which the lot is located.~~

- ~~vii. Permanent landscaping is used to help assure that the character of neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The Commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.~~
- ~~viii. Curb cuts shall be located away from major intersections and off high volume roadways.~~
- ~~e. Minimum Conditions for Seasonal Parking Lots.~~
 - ~~i. Approved applications shall be valid until May, 2000, at which time they shall be reviewed, amended if necessary, and approved. Thereafter, applications shall be valid for three years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have the authority to waive such requirement only upon a showing of good cause.~~
 - ~~ii. Season parking passes only may be sold, unless the lot contains more than one hundred (100) spaces. Lots over one hundred (100) spaces may sell daily parking passes. Lots which include daily parking must designate at least fifty (50) percent of the approved spaces as daily parking, excluding the spaces designated for employees. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full.~~
 - ~~iii. Conditional use permits shall not be transferred.~~
 - ~~iv. Hours of operation shall be from seven a.m. to seven p.m. Appropriate signs indicating hours of operation shall be posted at each entry.~~
 - ~~v. A dustless material shall be placed from the City right of way onto the lot extending a minimum of thirty (30) feet from the edge of the pavement.~~
 - ~~vi. Trash shall be picked up daily.~~
- ~~d. All other requirements of the applicable zone shall be satisfied,~~
 - 2. Public use,
 - 3. Semi-public use,
 - 4. Recreation uses, and

5. Off-street parking accessory to a primary residential or tourist lodging use which is greater than one space per sleeping room, and/or:

Off-street parking accessory to all other primary uses which is in excess of the requirements set forth in Section 17.124.060, Off-Street Parking Space, by more than twenty-five (25) percent or fifteen (15) parking spaces, whichever is greater,

Together with standards for evaluation of applications for conditional use permits for such accessory off-street parking, described in this Section, as follows:

- a. Off-street parking accessory to a principal use does not serve the general public using off-site facilities and services.
 - b. Vehicular traffic generated from the parking area minimizes conflict with pedestrians.
 - c. Vehicular traffic flows safely and uninhibited within the parking area and onto adjacent streets and primary arterial roadways.
 - d. Parking areas have functional aisle dimensions, back up space and turning radii.
 - e. Parking areas are located so not to adversely impact adjacent properties with regard to noise, lights and visual consideration.
 - f. Curb cuts are located away from major intersections and off high volume roadways.
 - g. Adequate snow storage areas are provided;
- C. Minimum Area of Lot.** The minimum lot area shall not be less than eight thousand (8,000) square feet, ~~and shall not be less than three thousand (3,000) square feet per dwelling unit for multiple family dwellings~~ unless the health district determines that additional area is required to meet minimum health standards;
- D. Minimum Area of Townhouse Sublot.** Shall be equal to that of the perimeter of an individual townhouse unit measured at the foundation and along any common party wall;
- E. Minimum Width of Lot** - eighty (80) feet;
- F. Minimum Front Yard** - fifteen (15) 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 Side and Rear Yards (Minimum Distance of Any Building from Each Side and Rear Lot Line).** One foot for every three feet or fraction of building height, except that no side or rear yard shall be less than five feet, except thirty (30) feet on Warm Springs Road and that single-family dwellings shall have one foot for every three feet or fraction of building height and no side yard of a single-family dwelling shall be less than ten (10) feet and no rear yard shall be less than fifteen (15) feet. If the lot adjoins a more restrictive lot on the side or rear, the more restrictive side and rear yards of that district shall apply;

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

J. Maximum Floor Area Ratios.

1. All new buildings and alterations to existing buildings shall be subject to the maximum floor area ratio (FAR) described below. Hotels that meet the definition of Hotel found in Chapter 17.08 may exceed the floor area ratio listed below subject to section 3 below.

Permitted
Gross FAR: 0.5

Inclusionary Housing Incentive
Gross FAR: 1.6

3. Inclusionary Housing Incentive:

a. The purpose of this section is to encourage new development in this zoning district to include a reasonable supply of affordable and resident occupied workforce housing for sale or rent, to help meet the demand and needs for housing of the community's employees with incomes between 80% and 200% of the Area Median Income. Land within the Tourist 3,000 Zone may be built to a FAR of 0.5 or 5,000 gross square feet, whichever is greater. As an incentive to build community housing units, floor area may be increased up to a FAR of 1.6 if a percentage of the increased building square footage above the greater of 0.5 FAR or 5,000 gross square feet is dedicated community housing.

b. An increased F.A.R. may be permitted up to a maximum of 1.6, subject to design review approval, and provided that all of the following conditions are met:

i. A minimum of twenty percent (20%) of the increased gross floor area is deed restricted in perpetuity as Community Housing Unit(s). Of this gross square footage, a fifteen percent (15%) reduction will be allowed as a standard discount from gross square footage to net liveable square footage for Community Housing units.

ii. Any fraction of Community Housing requirements may be paid via a fee-in-lieu of housing. The fraction of Community Housing Units times the fee equals the amount due to the City. The fee-in-lieu shall be recommended by the governing Housing Authority on an annual basis and adopted by the City Council. The developer has the option of providing a full housing unit rather than paying the fee-in-lieu or working with the City or other non-profit entity to construct the balance of the Community Housing unit with additional funds.

iii. All Community Housing Units, either for sale or rent, shall be administered by the governing Housing Authority,

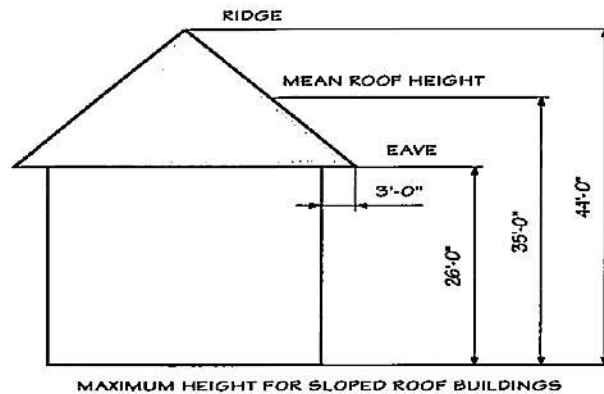
- unless otherwise determined by the City Council. The governing Housing Authority shall recommend the types, locations and categories of all proposed Community Housing Units for approval by the City.
- iv. All Community Housing Units shall be within the governing Housing Authority Income Categories. The definition of Community Housing Units shall be pursuant to the governing Housing Authority Guidelines within the Section titled Definitions. The definition of who may qualify to purchase or rent affordable housing shall be maintained in the governing Housing Authority Guidelines and adopted by the City Council. Each of these definitions is subject to change from time to time at the discretion of the governing Housing Authority Board of Directors.
 - v. The City's goal is to encourage the construction of whole units, and not to create a program for fee in-lieu for whole units. However, the City Council may consider a request by the property owner to pay a fee in-lieu of constructing a complete community housing unit., or other such considerations as the City Council deems appropriate. The City Council has full discretionary power to determine said request. Said in-lieu payment is not bound by any adopted fee schedule and is subject to negotiation on a case by case basis.

3. Hotels: Hotels which meet the definition of Hotel in Chapter 17.08 may exceed the maximum floor area and height or minimum open site area requirements of this chapter subject to the following review process:

- a. A Planned Unit Development shall be prepared for the proposal and approved by the City which specifically outlines the waivers to bulk regulations requested.
- b. A subarea analysis shall be prepared which addresses the Comprehensive Plan designation for the subarea; impacts of the proposed hotel on the character and scale of the surrounding neighborhood; impacts on proposed height and mass relative to the City's Design Review Standards and the PUD Standards, and the appropriateness of the subarea for a hotel which exceeds the bulk requirements of this Section.

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

- 1. For buildings with a roof pitch under 5:12 or for mansard roof buildings, the maximum building height shall be 35 feet.
- 2. For buildings with a roof pitch greater than 5:12 the maximum height to the mean point of the ridge or ridges measured from eave line to the ridge top shall be 35'. Roof ridges above the mean point may extend up to a height of 44'.



L. Minimum Open Site Area- To maintain a sense of open space in all new building sites, a minimum amount of open site area of 35% is required of all projects.

a. This minimum open site area shall be a percentage of the total development parcel.

b. The required open site area shall be exclusive of buildings, structures, private decks or patios, parking areas, driveways, cul-de-sacs or streets. A maximum of five percent (5%) open site area may be used for private decks or patios and walkways subject to design review approval.

~~**K. 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 § 2, 1999; Ord. 765 § 7, 1999; Ord. 734 § 2, 1999; Ord. 732 § 1 [part], 1998; Ord. 208 § 10B, 1974)~~

SECTION 4. That Section 17.60.010 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:

The purpose of the T-4000 Zoning District is to provide the opportunity for short-term tourist accommodations with limited tourist support services subordinate to and in conjunction with tourist housing. Dimensional requirements in this zone are designed to complement and enhance the neighborhoods in this zone, and to encourage articulation and quality design in new buildings.

A. Uses Permitted.

1. Any uses permitted in GR-L, GR-H, LR-2, STO-1, STO-.4, STO-H and LR,
2. Tourist housing accommodations including hotels, motels, lodges, boarding and rooming houses, and bed and breakfast establishments,
3. Restaurant and bars, personal service establishments, repair shops all subordinate to and operated within tourist housing, the total of the above uses not to exceed ten (10) percent of the gross floor area of the tourist housing facility,
4. Day care home, day care facility or day care center,
5. Planned unit development, and
6. Time share occupancy;

B. Conditional Uses.

1. Off-Street Parking Areas. as outlined in Section 17.124.060.

- a. ~~The following information is to be submitted as part of the application for the conditional use permit for an off street parking area:~~
 - i. ~~A site plan drawn to an appropriate scale showing the proposed number of parking spaces, size of the lot and general circulation within the lot (including skier access to Bald Mountain if the parking area is near base facilities), ingress and egress from the City right of way, and existing landscaping,~~
 - ii. ~~Proposed fencing of the lot and gate(s),~~
 - iii. ~~A plan showing location of required snow storage areas (snow storage area shown in square feet),~~
 - iv. ~~A plan showing scale drawings of proposed signs, and~~
 - v. ~~Hours and days of operation.~~
- b. ~~The Commission shall determine whether the following requirements have been or will be met:~~
 - i. ~~Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the City right of way.~~
 - ii. ~~Trash shall be removed daily from the parking area.~~
 - iii. ~~The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the Commission.~~
 - iv. ~~Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the City street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.~~
 - v. ~~The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:~~

- ~~(A) Forty five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.~~
- ~~(B) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.~~
- ~~(C) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.~~
- ~~vi. The parking area is consistent with the tourist zoning designation within which the lot is located.~~
- ~~vii. Permanent landscaping is used to help assure that the character of neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The Commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.~~
- ~~viii. Curb cuts shall be located away from major intersections and off high volume roadways.~~
- ~~c. Minimum Conditions for Seasonal Parking Lots.~~
 - ~~i. Approved applications shall be valid until May, 2000, at which time they shall be reviewed, amended if necessary, and approved. Thereafter, applications shall be valid for three years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have the authority to waive such requirement only upon a showing of good cause.~~
 - ~~ii. Season parking passes only may be sold, unless the lot contains more than one hundred (100) spaces. Lots over one hundred (100) spaces may sell daily parking passes. Lots which include daily parking must designate at least fifty (50) percent of the approved spaces as daily parking, excluding the spaces designated for employees. The sale of daily passes is subject to the applicant staffing the entrance~~

~~to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full.~~

- ~~iii. Conditional use permits shall not be transferred.~~
- ~~iv. Hours of operation shall be from seven a.m. to seven p.m. Appropriate signs indicating hours of operation shall be posted at each entry.~~
- ~~v. A dustless material shall be placed from the City right of way onto the lot extending a minimum of thirty (30) feet from the edge of the pavement.~~
- ~~vi. Trash shall be picked up daily.~~

d. ~~All other requirements of the applicable zone shall be satisfied,~~

- 2. Public use,
- 3. Semi-public use,
- 4. Recreation uses,
- 5. Geothermal utility for off-site use, and
- 6. Off-street parking accessory to a primary residential or tourist lodging use which is greater than one space per sleeping room, and/or:

Off-street parking accessory to all other primary uses which is in excess of the requirements set forth in Section 17.124.060, Off-Street Parking Space, by more than twenty-five (25) percent or fifteen (15) parking spaces, whichever is greater,

Together with standards for evaluation of applications for conditional use permits for such accessory off-street parking, described in this Section, as follows:

- a. Off-street parking accessory to a principal use does not serve the general public using off-site facilities and services.
- b. Vehicular traffic generated from the parking area minimizes conflict with pedestrians.
- c. Vehicular traffic flows safely and uninhibited within the parking area and onto adjacent streets and primary arterial roadways.
- d. Parking areas have functional aisle dimensions, back up space and turning radii.
- e. Parking areas are located so not to adversely impact adjacent properties with regard to noise, lights and visual consideration.
- f. Curb cuts are located away from major intersections and off high volume roadways.
- g. Adequate snow storage areas are provided;

- C. **Minimum Area of Lot.** The minimum lot area shall not be less than eight thousand (8,000) square feet, ~~and shall not be less than four thousand (4,000) square feet per dwelling unit for multiple family dwellings unless the health district determines that additional area is required to meet minimum health standards;~~

- D. **Minimum Area of Townhouse Sublot.** Shall be equal to that of the perimeter of an individual townhouse unit measured at the foundation and along any common party wall;
- E. **Minimum Width of Lot** - eighty (80) feet;
- F. **Minimum Front Yard** - fifteen (15) 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 Side and Rear Yards (Minimum Distance of Any Building from Each Side and Rear Lot Line).** One foot for every three feet or fraction of building height, except that no side or rear yard shall be less than five feet, except thirty (30) feet on Warm Springs Road and that single-family dwellings shall have one foot for every three feet or fraction of building height and no side yard of a single-family dwelling shall be less than ten (10) feet and no rear yard shall be less than fifteen (15) feet. If the lot adjoins a more restrictive lot on the side or rear, the more restrictive side and rear yards of that district shall apply;
- I. **Minimum Front, Side and Rear Yards for a Townhouse Development.** Shall be as required in Subsections F-H of this Section, except that townhouse units shall be allowed zero setbacks from the lot lines created by a townhouse sublot;

J. Maximum Floor Area Ratios.

- 1. All new buildings and alterations to existing buildings shall be subject to the maximum floor area ratio (FAR) described below. Hotels that meet the definition of Hotel found in Chapter 17.08 may exceed the floor area ratio listed below subject to section 3 below.

<u>Permitted</u>	<u>Inclusionary Housing Incentive</u>
<u>Gross FAR: 0.5</u>	<u>Gross FAR: 1.6</u>

- 2. Inclusionary Housing Incentive
 - a. The purpose of this section is to encourage new development in this zoning district to include a reasonable supply of affordable and resident occupied workforce housing for sale or rent, to help meet the demand and needs for housing of the community's employees with incomes between 80% and 200% of the Area Median Income. Land within the Tourist 4,000 Zone may be built to a FAR of 0.5, or 5,000 gross square feet whichever is greater. As an incentive to build community housing units, floor area may be increased up to a FAR of 1.6 if a percentage of the increased building square footage above the greater of 0.5 FAR or 5,000 gross square feet is dedicated community housing.
 - b. An increased F.A.R. may be permitted up to a maximum of 1.6, subject to design review approval, and provided that all of the following conditions are met:
 - i. A minimum of twenty percent (20%) (of the total increased gross floor area is deed restricted in perpetuity as

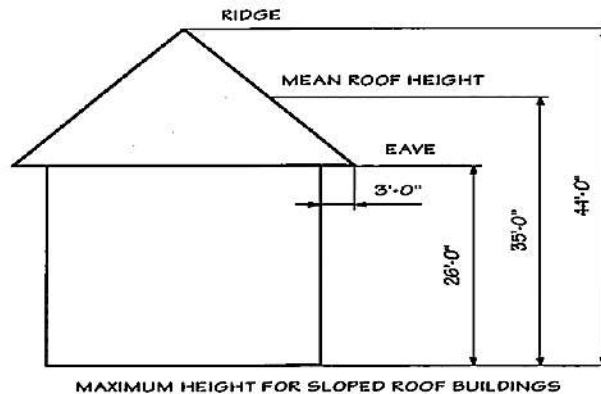
- Community Housing Unit(s). Of this gross square footage, a fifteen percent (15%) reduction will be allowed as a standard discount from gross square footage to net liveable square footage for Community Housing units.
- ii. Any fraction of Community Housing requirements may be paid via a fee-in-lieu of housing. The fraction of Community Housing Units times the fee equals the amount due to the City. The fee-in-lieu shall be recommended by the governing Housing Authority on an annual basis and adopted by the City Council. The developer has the option of providing a full housing unit rather than paying the fee-in-lieu or working with the City or other non-profit entity to construct the balance of the Community Housing unit with additional funds.
 - iii. All Community Housing Units, either for sale or rent, shall be administered by the governing Housing Authority, unless otherwise determined by the City Council. The governing Housing Authority shall recommend the types, locations and categories of all proposed Community Housing Units for approval by the City.
 - iv. All Community Housing Units shall be within the governing Housing Authority Income Categories. The definition of Community Housing Units shall be pursuant to the governing Housing Authority Guidelines within the Section titled Definitions. The definition of who may qualify to purchase or rent affordable housing shall be maintained in the governing Housing Authority Guidelines and adopted by the City Council. Each of these definitions is subject to change from time to time at the discretion of the governing Housing Authority Board of Directors.
 - v. The City's goal is to encourage the construction of whole units, and not to create a program for fee in-lieu for whole units. However, the City Council may consider a request by the property owner to pay a fee in-lieu of constructing a complete community housing unit or other such considerations as the City Council deems appropriate. The City Council has full discretionary power to determine said request. Said in-lieu payment is not bound by any adopted fee schedule and is subject to negotiation on a case by case basis.

3. Hotels: Hotels which meet the definition of Hotel in Chapter 17.08 may exceed the maximum floor area and height or minimum open site area requirements of this chapter subject to the following review process:

- a. A Planned Unit Development shall be prepared for the proposal and approved by the City which specifically outlines the waivers to bulk regulations requested.
- b. A subarea analysis shall be prepared which addresses the Comprehensive Plan designation for the subarea; impacts of the proposed hotel on the character and scale of the surrounding neighborhood; impacts on proposed height and mass relative to the City's Design Review Standards and the PUD Standards, and the appropriateness of the subarea for a hotel which exceeds the bulk requirements of this Section.

K. Maximum Height of Buildings -

1. For buildings with a roof pitch under 5:12 or for mansard roof buildings, the maximum building height shall be 35 feet.
2. For buildings with a roof pitch greater than 5:12 the maximum height to the mean point of the ridge or ridges measured from eave line to the ridge top shall be 35'. Roof ridges above the mean point may extend up to a height of 44'.



L. Minimum Open Site Area- To maintain a sense of open space in all new building sites, a minimum amount of open site area of 35% is required of all projects.

- a. This minimum open site area shall be a percentage of the total development parcel.
- b. The required open site area shall be exclusive of buildings, structures, private decks or patios, parking areas, driveways, cul-de-sacs or streets. A maximum of five percent (5%) open site area may be used for private decks or patios and walkways subject to design review approval.

~~J. Maximum Height of Buildings thirty five (35) feet;~~

~~K. Maximum Building Coverage. Not more than forty (40) percent of the lot area shall be covered by buildings, including garages, except that other accessory buildings permitted in the district may cover a portion of the lot area in addition to building coverage specified. Maximum allowable building coverage for all buildings is sixty (60) percent of the lot. (Ord. 770 § 1, 1999; Ord. 765 § 8, 1999; Ord. 734 § 3, 1999; Ord. 732 § 1 [part], 1998; Ord. 208 § 10C, 1974)~~

SECTION 5. That Section 17.124.060 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:

A. Off-street parking spaces shall be required in all districts as an accessory use for new construction or any addition involving an increase in floor area. Every use shall provide at least the minimum number of parking spaces required for that use based on the formulas listed in this Section. Further, the minimum parking stall and aisle dimensions are as follows:

ANGLE	WIDTH	LENGTH	AISLE WIDTH
90 degrees	9.0'	18'	24'
60 degrees	9.0'	21'	18'
45 degrees	9.0'	19.8'	15'
parallel	8.0'	23'	—

Commercial uses, hotels and lodges with a minimum of ten or more spaces on the property may have up to ten percent of the required spaces marked for compact vehicles. Compact vehicle spaces must be a minimum of eight (8) feet wide and sixteen (16) feet long with aisle widths in accordance with the table above. These spaces shall be designed, designated, marked and enforced as compact spaces.

1. For one-family dwellings and for each dwelling unit in a duplex, one and one half parking spaces. For a townhouse and multiple-family dwelling, one parking space per every 1500 net square feet of residential space, one and one half parking spaces shall be provided, and one additional guest parking space shall be provided for every four residential units, except as may otherwise be required in the CC District. For residential projects of four (4) units or more, one guest space for every four units shall be provided in addition to the above requirement. Required parking spaces for ~~single and two family dwellings~~ all residential development, except as may otherwise be required in the CC District, shall be on the same premises as the dwelling/unit(s);
2. For tourist homes, hotels, motels, lodges, rooming houses and similar places offering sleeping accommodations - 0.75 spaces per room; ~~at least one off-street parking space for each sleeping room or for every three beds, whichever is greater;~~
3. For churches, schools, membership clubs and similar places having auditoriums or facilities for public assembly - at least one off-street parking space for every six seats in an auditorium or place for public assembly or one off-street parking space

- for every sixty (60) square feet of floor area in an auditorium or place for public assembly, whichever is greater;
4. For offices, clinics and all retail business uses (except as hereinafter specified - at least one off-street parking space for each three hundred (300) square feet of floor area;
 5. For grocery stores - at least one off-street parking space for each two hundred (200) square feet of floor area;
 6. For restaurants and bars and other eating and drinking establishments - at least one off-street parking space for each one hundred (100) square feet of assembly area;
 7. For drive-in restaurants - at least one parking space for each sixty (60) square feet of floor area;
 8. For each four beds in a convalescent, nursing or rest home, sanitarium or home of the care of children or of the aged - one parking space, plus one parking space for each doctor assigned full-time to the staff, plus two parking spaces for each three other employees;
 9. For a hospital - one parking space for each one thousand (1,000) square feet of floor area, plus one parking space for each four regular employees;
 10. For a bowling alley - three parking spaces for each lane;
 11. For manufacturing or assembly establishments - one parking space for each employee, based on the greatest number of employees at any one time;
 12. For a day care home, facility or center, one parking space for each full-time nonresident staff member, plus drop off/pick up spaces as follows:
 - a. for day care homes - one drop off/pick up space,
 - b. for day care facilities - two drop off/pick up spaces, and
 - c. for day care centers - one drop off/pick up space for every eight children, or fraction thereof, which may be legally cared for within the center.

For day care businesses which require more than one drop off/pick up space, the additional spaces over one may be on-street, provided that for each drop off/pick up space required there are three legal spaces located within fifty (50) feet of the property which can be reached without crossing a street;
 13. For all other permitted uses - at least one off-street parking space for every two employees;
 14. The off-street parking requirement for the CC - Community Core District, shall be in accordance with Section 17.64.010.B;
 15. Shared parking reduction by conditional use permit in all Tourist Zoning Districts may be allowed as follows:
 - a. A reduction to parking requirements for individual accessory uses within a mixed use development in which lodging is the primary use may be made upon the granting of a conditional use permit according to the following schedule:
 - i. Restaurant and bar - minimum one space per two hundred (200) square feet of seating area,
 - ii. Conference facilities - minimum one space per two hundred (200) square feet of seating area,

- iii. Retail and repair shops - minimum one space per six hundred (600) square feet of net floor area.
 - b. The Commission may grant the reduction or a partial reduction after considering the following standards and criteria:
 - i. The accessory use(s) commonly provides a service to patrons of the primary use,
 - ii. The capacity of the accessory use(s) is not in excess of the capacity of the primary use,
 - iii. The operating of the accessory use(s) is staggered,
 - iv. The hour(s) of peak parking demand for each use is different,
 - v. Existing on-street parking is available for public use.
 - c. A reduction to parking requirements for lodge units within a mixed use development may be made upon the granting of a conditional use permit according to the following schedule:
 - i. Hotels, lodges - minimum .66 space per room.
 - d. The Commission may grant the reduction or a partial reduction after considering the following standards and criteria:
 - i. Public, recreation facilities and adjoining complimentary uses are within walking distance,
 - ii. Existing tourist housing accommodations are within walking distance,
 - iii. Public transit is available and within walking distance,
 - iv. Pedestrian facilities and amenities are existing within the neighborhood.
 - e. Employee parking is required at the rate of ten (10) percent of total required spaces after reductions are provided.
 - f. The total parking required shall not be less than one space per room.
- B.** All area counted as off-street parking space shall be unobstructed and kept clear of snow and free of other uses.
- C.** Unobstructed access to and from a street shall be provided for all off-street parking space.
- D.** All open off-street parking spaces shall be surfaced with asphalt or cement concrete. Compacted gravel or other dustless material may be used for surfacing only upon approval by the Commission.
- E.** Off-street parking spaces may be provided in areas designed to serve jointly two or more buildings or users provided that the total number of off-street parking spaces shall not be less than that required by this Title for the total combined number of buildings or uses.
- F.** No part of an off-street parking space required for any building or use for the purpose of complying with the provisions of this Title shall be included as a part of an off-street parking space similarly required for another building or use.
- G.** No required off-street parking space may be converted for any other use unless an equivalent amount of additional parking space is provided.
- H.** When the intensity of use of any building, structure or premises is increased through the addition of dwelling units, gross floor area, seating capacity or other units of

measurements specified as requiring parking or loading facilities, parking and loading facilities as required in this Section shall be provided for the existing building, structure or premises and such increase in intensity of use.

- I. Whenever the existing use of a building or structure shall be changed to a new use, parking or loading facilities shall be provided as required for such new use.
- J. No lawfully existing building shall be deemed to be a non-conforming building solely because of lack of parking spaces; provided, that space being used for off-street parking or loading in connection with any such building at the time of the effective date of this Title shall not be further reduced in area or capacity.
- K. When the calculation of the required number of spaces called for in this Section results in a fractional number, fractions equal to or greater than one-half shall be adjusted to the next higher whole number of spaces.
- L. Lighting used to illuminate off-street parking areas shall be directed away from residential properties, and such parking areas shall be effectively screened on any side adjoining a residential zone by a wall, fence or hedge to a height of six feet except for the front yard setback area of the adjoining residential property, in which case the maximum height shall be three feet.
- M. A maximum of thirty-five (35) percent of the lineal footage of any street frontage can be devoted to access to off-street parking. Corner lots that front two or more streets may select either or both streets as access but may still not devote more than thirty-five (35) percent of the total lineal footage of street frontage to access to off-street parking.
- N. All alleys used as access to loading areas and/or to an off-street parking space or spaces shall be surfaced with asphalt or cement concrete. Compacted gravel or other dustless material may be used for surfacing only upon approval by the Commission. (Ord. 902 § 17.124.060, 2002; Ord. 894 § 17.124.060, 2002; Ord. 208 § 24.6, 1974)
- O. Off-Street Parking Areas as Conditional Uses. In zoning districts where Off-Street Parking Areas are permitted as a Conditional Use, the following regulations shall apply:
 - a. The following information is to be submitted as part of the application for the conditional use permit for an off-street parking area:
 - i. A site plan drawn to an appropriate scale showing the proposed number of parking spaces, size of the lot and general circulation within the lot (including skier access to Bald Mountain if the parking area is near base facilities), ingress and egress from the City right-of-way, and existing landscaping.
 - ii. Proposed fencing of the lot and gate(s).
 - iii. A plan showing location of required snow storage areas (snow storage area shown in square feet).
 - iv. A plan showing scale drawings of proposed signs.
 - v. Hours and days of operation.
 - b. The Commission shall determine whether the following requirements have been or will be met:

- i. Dustless material shall be placed at the entry and exit of each lot to control the transfer of foreign material onto the City right-of-way.
 - ii. Trash shall be removed daily from the parking area.
 - iii. The approval of the parking area will not detrimentally increase traffic along Warm Springs Road and within the Pedestrian Access (PA) Overlay Zone, as determined by the Commission.
 - iv. Traffic shall flow safely within the project and onto adjacent streets and in such a manner as will minimize transfer of debris and other material from the project to the City street. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to points of ingress and egress, adequate sight distances and proper signage.
 - v. The maximum number of parking spaces permitted on a lot shall be calculated from the formula below:
 - (A) Forty-five (45) percent of the square footage of the lot may be used for parking circulation (this number was arrived at based on the number of parking spaces that would be required for maximum buildout of the site). Additional land area outside the forty-five (45) percent may be used for the applicant's employee parking up to a maximum of seventy (70) spaces.
 - (B) All parking space dimensions and aisle widths shall be appropriate for design and circulation as required in Section 17.124.060.
 - (C) The formula is meant as a guideline. The site considerations of the proposed parking area may present limitations upon the maximum number of parking spaces permitted.
 - vi. The parking area is consistent with the tourist zoning designation within which the lot is located.
 - vii. Permanent landscaping is used to help assure that the character of neighborhood as allowed under the applicable zoning ordinances is not significantly altered. The Commission shall determine on a case by case basis if permanent landscaping is appropriate, including analysis of riparian areas.
 - viii. Curb cuts shall be located away from major intersections and off high volume roadways.
- c. Minimum Conditions for Seasonal Parking Lots.
- i. Approved applications shall be valid until May, 2000, at which time they shall be reviewed, amended if necessary and approved. Thereafter, applications shall be valid for

three years from the approval date, unless a complaint is received in writing documenting that the terms of the approval have been violated. Upon receipt of such a complaint, the Administrator shall verify the complaint and schedule the application for a public hearing before the Commission. Completed applications shall be submitted to the Planning Department by October 1st of each year. The Planning and Zoning Administrator shall have the authority to waive such requirement only upon a showing of good cause.

ii. Season parking passes only may be sold, unless the lot contains more than one hundred (100) spaces. Lots over one hundred (100) spaces may sell daily parking passes. Lots which include daily parking must designate at least fifty (50) percent of the approved spaces as daily parking, excluding the spaces designated for employees. The sale of daily passes is subject to the applicant staffing the entrance to the parking area, and subject to the development of a system, acceptable to the City, of alerting skiers at the park and ride lot when the Warm Springs daily parking lots are full.

iii. Conditional use permits shall not be transferred.

iv. Hours of operation shall be from seven a.m. to seven p.m. Appropriate signs indicating hours of operation shall be posted at each entry.

v. A dustless material shall be placed from the City right-of-way onto the lot extending a minimum of thirty (30) feet from the edge of the pavement.

vi. Trash shall be picked up daily.

d. All other requirements of the applicable zone shall be satisfied.

7. Off-street parking accessory to a primary residential or tourist lodging use which is greater than one space per sleeping room, and/or:

Off-street parking accessory to all other primary uses which is in excess of the requirements set forth in Section 17.124.060, Off-Street Parking Space, by more than twenty-five (25) percent or fifteen (15) parking spaces, whichever is greater.

Together with standards for evaluation of applications for conditional use permits for such accessory off-street parking, described in this Section, as follows:

a. Off-street parking accessory to a principal use does not serve the general public using off-site facilities and services.

b. Vehicular traffic generated from the parking area minimizes conflict with pedestrians.

c. Vehicular traffic flows safely and uninhibited within the parking area and onto adjacent streets and primary arterial roadways.

- d. Parking areas have functional aisle dimensions, back up space and turning radii.
- e. Parking areas are located so not to adversely impact adjacent properties with regard to noise, lights and visual consideration.
- f. Curb cuts are located away from major intersections and off high volume roadways.
- g. Adequate snow storage areas are provided;

SECTION 6. SAVINGS AND SEVERABILITY. If any section, subsection, paragraph, subparagraph, item, provision, regulation, sentence, clause or phrase is declared by a court to be invalid, such actions shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared invalid.

SECTION 7. CODIFICATION. The City Clerk is instructed pursuant to Section 1-1-3 of the City of Ketchum Municipal Code to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

SECTION 8. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

SECTION 9. 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 10. EFFECTIVE DATE. This Ordinance shall be in full force and effect upon the date of its publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor on this 30th day of October, 2006.

APPROVED:

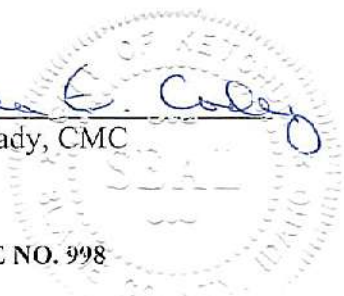


Randy Hall, Mayor

ATTEST:



Sandra E. Cady, CMC



APPROVED AS TO FORM
AND CONTENT:



By: _____
Benjamin W. Worst,

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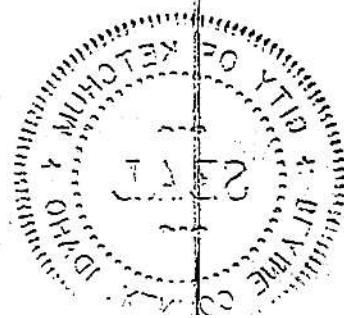
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City Treasurer/Clerk

City Attorney

EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 998
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING THE KETCHUM MUNICIPAL CODE, TITLE 17, CHAPTER 17.32, GENERAL RESIDENTIAL - HIGH DENSITY DISTRICT, CHAPTER 17.52, TOURIST DISTRICT CHAPTERS 17.56 AND 17.60, TOURIST 3000 ZONING DISTRICT, TOURIST 4000 ZONING DISTRICT; AND CHAPTER 17.124, ACCESSORY BUILDINGS AND USES BY ADDING AN INCENTIVE INCLUSIONARY HOUSING PROVISION; MODIFYING PERMITTED AND CONDITIONAL USES; CREATING TABLES FOR SETBACK REGULATIONS FOR CLARITY; ESTABLISHING MAXIMUM FLOOR AREA RATIOS; REPLACING LOT COVERAGE REQUIREMENTS WITH OPEN SITE AREA REQUIREMENTS; INCREASING HEIGHT FOR PITCHED ROOFS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING A CODIFYING CLAUSE; BY PROVIDING A REPEALER CLAUSE; BY PROVIDING FOR PUBLICATION BY SUMMARY; AND BY PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 998 of the City of Ketchum, Blaine County, Idaho, adopted on October 30, 2006, is as follows:

Section 1: Amends Chapter 17.32, General Residential-High Density by adding language to the statement of purpose, removing hospitals, nursing homes, sanitariums, and offices from the list of conditional uses, adding off-street parking as conditional use pursuant to the conditions of Section 17.124.010, removing language requiring 2,000 square feet of lot area for each dwelling unit, moving the minimum set backs along warm springs road, side and rear yard setbacks into a chart for clarity, creating a permitted gross floor area ratio of 0.5 and allowing an increased floor area ratio with inclusionary housing of 1.6, setting forth the regulations for such floor area ratio increase, requiring that 20% of the total increase be deed restricted housing and allowing for payment in lieu of fractions of units, but encouraging construction of whole units, providing for the administration of affordable housing units by the governing housing authority, creating an exemption from such inclusionary zoning requirement for the first 5,000 gross square feet of floor area for single family homes, creating a review and planned unit development permitting process for hotels that exceed the maximum floor area and height, modifying maximum building heights from 35 feet to a mean roof height of 35 feet allowing up to 44 feet if the pitch is greater than 5:12, eliminates the maximum building coverage requirements and requiring a minimum open site area of 35% of the total development of a parcel exclusive of buildings and structures, but allowing 5% of such open site area to be private decks, patios and walkways.

Section 2: Amends Chapter 17.52, Tourist District by adding language to the statement of purpose, removing hospitals and offices from the list of permitted uses, adding off-street parking as a use allowed with a CUP pursuant to the conditions of Section 17.124.010, adding offices to the list of conditional uses permitted with a CUP, allowing Hotels with a PUD that exceed bulk and other requirements, moving the CUP application requirements into a chart for

clarity, removing language requiring 2,000 square feet of lot area for each dwelling unit, moving the minimum set backs along warm springs road, minimum front, side and rear yard setbacks and setbacks from SH 75 into a chart for clarity, creating a permitted gross floor area ratio of 0.5 and allowing an increased floor area ratio with inclusionary housing of 1.6, setting forth the regulations for such floor area ratio increase, requiring that 20% of the total increase be deed restricted housing and allowing for payment in lieu of fractions of units, but encouraging construction of whole units, providing for the administration of affordable housing units by the governing housing authority, creating an exemption from such inclusionary zoning requirement for the first 5,000 gross square feet of floor area for single family homes, creating a review and planned unit development permitting process for hotels that exceed the maximum floor area and height, modifying maximum building heights from 35 feet to a mean roof height of 35 feet allowing up to 44 feet if the pitch is greater than 5:12, eliminates the maximum building coverage requirements and requiring a minimum open site area of 35% of the total development of a parcel exclusive of buildings and structures, but allowing 5% of such open site area to be private decks, patios and walkways.

Section 3: Amends Chapter 17.56, Tourist 3000 Zoning District by adding language to the statement of purpose, adding offices to the list of uses permitted with a CUP, adding off-street parking as a use allowed with a CUP pursuant to the conditions of Section 17.124.010, moving the CUP application requirements into a chart for clarity, removing language requiring 3,000 square feet of lot area for each dwelling unit, creating a permitted gross floor area ratio of 0.5 and allowing an increased floor area ratio with inclusionary housing of 1.6, setting forth the regulations for such floor area ratio increase, requiring that 20% of the total increase be deed restricted housing and allowing for payment in lieu of fractions of units, but encouraging construction of whole units, providing for the administration of affordable housing units by the governing housing authority, creating an exemption from such inclusionary zoning requirement for the first 5,000 gross square feet of floor area for single family homes, creating a review and planned unit development permitting process for hotels that exceed the maximum floor area and height, modifying maximum building heights from 35 feet to a mean roof height of 35 feet allowing up to 44 feet if the pitch is greater than 5:12, eliminates the maximum building coverage requirements and requiring a minimum open site area of 35% of the total development of a parcel exclusive of buildings and structures, but allowing 5% of such open site area to be private decks, patios and walkways.

Section 4: Amends Chapter 17.60, Tourist 4000 Zoning District by adding language to the statement of purpose, adding off-street parking as a use allowed with a CUP pursuant to the conditions of Section 17.124.010, moving the CUP application requirements into a chart for clarity, removing language requiring 4,000 square feet of lot area for each dwelling unit, creating a permitted gross floor area ratio of 0.5 and allowing an increased floor area ratio with inclusionary housing of 1.6, setting forth the regulations for such floor area ratio increase, requiring that 20% of the total increase be deed restricted housing and allowing for payment in lieu of fractions of units, but encouraging construction of whole units, providing for the administration of affordable housing units by the governing housing authority, creating an exemption from such inclusionary zoning requirement for the first 5,000 gross square feet of floor area for single family homes, creating a review and planned unit development permitting process for hotels that exceed the maximum floor area and height, modifying maximum building

heights from 35 feet to a mean roof height of 35 feet allowing up to 44 feet if the pitch is greater than 5:12, eliminates the maximum building coverage requirements and requiring a minimum open site area of 35% of the total development of a parcel exclusive of buildings and structures, but allowing 5% of such open site area to be private decks, patios and walkways.

Section 5: Amends Chapter 17. 124, Accessory Buildings and Uses, by adding requiring one and one half parking spaces for one-family dwellings and each dwelling in a duplex, requiring one parking space for every 1,500 net square feet of residential space, requiring guest parking spaces, requiring .75 parking spaces per hotel or guest room, setting forth rules for off-street parking areas as a conditional use requiring a plan for operation, use and traffic mitigation, lot dimensions and minimum conditions for seasonal parking lots.

Section 4: Provides a savings and severability clause.

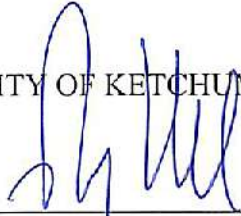
Section 5: Provides a codification clause.

Section 6: Provides a repealer clause.

Section 7: Provides for publication of a summary of the Ordinance.

Section 8: 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


Randy Hall, Mayor

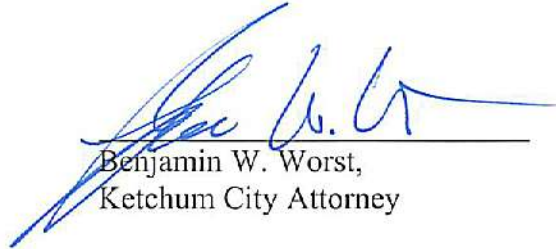
ATTEST:


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. 998 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 1st day of November, 2006.


Benjamin W. Worst,
Ketchum City Attorney

Publish: Idaho Mountain Express
Date: _____