

ORDINANCE NO 1224

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17 THE ZONING ORDINANCE OF THE KETCHUM MUNICIPAL CODE BY AMENDING SECTION 17.140.090 B AND C, EXEMPT COMMUNICATION FACILITIES, AND AMENDING THE CITY OF KETCHUM DISTRICT ZONING MAP TO CHANGE THE ZONING OF BLOCK 1 OF THE WARM SPRINGS LARGE BLOCK PLAT FROM T-TOURST ZONING TO GR-L-GENERAL RESIDENTIAL LOW DENISTY, PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum is authorized to amend the city zoning ordinance and the District Zoning Map pursuant to Idaho Code § 67-6511; and

WHEREAS, Title 17, the Zoning Code, establishes standards to regulate the installation of wireless communication facilities in Ketchum; and

WHEREAS, a code amendment is necessary to ensure public safety communication equipment is installed in appropriate locations to support emergency operations; and

WHEREAS, on April 28, 2021, the City entered into Development and Rezoning Agreement 20609 that rezoned Block 1 of the Warm Springs Ranch Large Block Plat from T-Tourist Zoning to GR-L- General Residential Low Density; and

WHEREAS, the change to the District Zoning Map implements the rezoning approved in Development and Rezoning Agreement 20609 previously approved by both the Planning and Zoning Commission and City Council; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the proposed text amendment and amendment to the District Zoning Map on August 10, 2021; and

WHEREAS, the City Council, having considered the recommendation of the Planning and Zoning Commission and any comments from the public at a public hearing on September 7, 2021, having determined that it is in the best interests of the public to adopt the proposed amendments to Title 17 and the District Zoning Map:

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

Section 1: AMENDMENT TO SECTION 17.140.090 B and C: EXEMPT COMMUNICATION FACILITIES:

A. The requirements imposed by this title shall not apply to antennas designed to receive video programming signals from direct broadcast satellite (DBS) services, multichannel multipoint

distribution providers (MMDS), or television broadcast stations (TVBS); provided, that all of the following conditions are met:

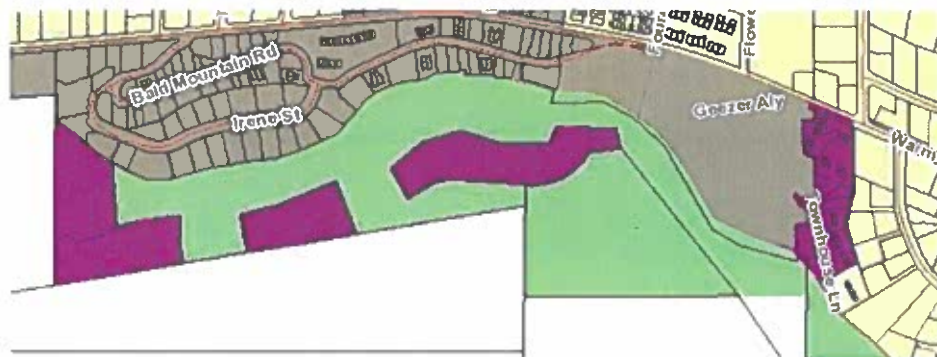
1. The antenna measures thirty-nine inches (39") (1 meter) or less in diameter.
2. The antenna, if attached to a building, shall comply with subsections 17.140.040B1 and B2 of this chapter.
3. The antenna is attached to a freestanding tower measuring less than twelve feet (12') in height.

B. **Additionally** The requirements of this title shall not apply to wi-fi facilities serving an individual building or development or a wireless communications facility that measures less than four (4) cubic feet in size.

C. **Antennas and any wireless communication facility used for public safety located on a public use building shall be exempt from the requirements of Chapter 17.140 provided such facility does not exceed 10 feet in height above the building roof. Facilities over 10 feet in height shall require design review approval pursuant to KMC Chapter 17.96-Design Review.**

Section 2. AMENDMENT TO DISTRICT ZONING MAP:

Block 1 of the Warm Spring Large Block Plat shall be changed from T-Tourist Zoning District to GR-L-General Residential Low Density and the following map amendment shall be made to the District Zoning Map:



Zoning	LR Limited Residential
Zoning Districts	LR-1 Limited Residential 1 Ac.
AF Agricultural & Forestry	LR-2 Limited Residential 2 Ac.
CC Community Core (See Inset)	RU Recreation Use
GR-H General Residential High Density	STD-1 Short Term Occupancy 1 Ac
GR-L General Residential Low Density	STD-4 Short Term Occupancy .4 Ac
LI-1 Light Industrial 1	STD-H Short Term Occupancy High Density
LI-2 Light Industrial 2	T Tourist
LI-3 Light Industrial 3	T-3000 Tourist 3000
	T-4000 Tourist 4000

Section 3. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 4. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form attached 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 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

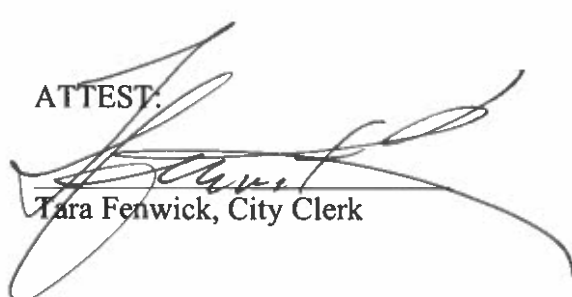
PASSED by the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho on this 20th day of September 2021.

APPROVED:



Neil Bradshaw, Mayor

ATTEST:



Tara Fenwick, City Clerk