



CITY OF KETCHUM, IDAHO REGULAR CITY COUNCIL MEETING
Tuesday, February 16, 2021, 4:00 PM
480 East Avenue, North, Ketchum, Idaho

AMENDED

Agenda

In recognition of the Coronavirus (COVID-19), members of the public may observe the meeting live on the City's website at ketchumidaho.org/meetings.

If you would like to comment on a PUBLIC HEARING item, please submit your comment to participate@ketchumidaho.org by noon the day of the meeting. Comments will be provided to the Mayor and Council.

If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.

Dial-in: +1 253 215 8782
Meeting ID: 992 9943 2004

- CALL TO ORDER: By Mayor Neil Bradshaw
- ROLL CALL
- COMMUNICATIONS FROM MAYOR AND COUNCILORS
- AMENDED AGENDA
 1. **ACTION ITEM: Approval of Amended Agenda**
- CONSENT AGENDA: Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately
 2. Approval of Minutes: Regular Meeting February 1, 2021
 3. Approval of Minutes: Special Meeting February 8, 2021
 4. Authorization and approval of the payroll register
 5. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$874,618.66 as presented by the Treasurer.
 6. Approval for Mayor to sign a letter opposing wolf trapping in Blaine County - Neil Bradshaw, Mayor
 7. Monthly Financial State of the City - Grant Gager, Director of Finance & Internal Services
 8. Recommendation to approve Encroachment Agreement #20563 with Century Link - Suzanne Frick, Director of Planning & Building
 9. Recommendation to approve Encroachment Agreement #20581 with Cox Communications for 323 Lewis Street - Suzanne Frick, Director of Planning & Building
 10. Approval of Purchase Order #20577 with Banyan Technologies for PLC/SCADA upgrades to Northwood Well - Pat Cooley, Water Division Supervisor

- [11.](#) Approval of Purchase Order #20586 with Thatcher Company, Inc for Aluminum Sulfate - Mick Mummert, Wastewater Division Supervisor
- [12.](#) Approval of Purchase Order #20582 with Ferguson Waterworks for a Sensus 6502 handheld reading device - Pat Cooley, Water Division Supervisor
- [13.](#) Approval of Contracts #20587 and #20588 for Asset Management Software and Conditions Assessment - Brian Christiansen, Director of Streets and Facilities Maintenance
- [14.](#) Approval of agreement between the City of Ketchum and Blaine County for Sustainability Program Management Cost Sharing - Jade Riley, City Administrator
- [15.](#) Approval of interim budget change to fund summer town beautification efforts - Jade Riley, City Administrator
- NEW BUSINESS (no public comment required)
 - [16.](#) ACTION ITEM: Discussion and Direction to staff regarding Franchise Agreement with Clear Creek Disposal - Jade Riley, City Administrator
- PUBLIC HEARING
 - [17.](#) ACTION ITEM: Third reading of Ordinance #1217 adopting the 2018 International Building Code, International Residential Code, International Energy Conservation Code, International Existing Building Code, International Property Maintenance Code, and the International Fire Code, including local amendments to said codes that reflect local concerns. Amendments affect Chapters 15.04, Building Codes, and 15.08, Fire Code - Suzanne Frick, Director of Planning & Building
 - [18.](#) ACTION ITEM: Continued hearing from February 1, 2021 to approve the following:
 - Findings of Fact, Conclusions of Law, and Order of Decision for the Ketchum Boutique Hotel (PEG Ketchum Hotel, LLC) Planned Unit Development Conditional Use Permit (PUD) (File No. P19-063)
 - Findings of Fact, Conclusions of Law, and Order of Decision for the Ketchum Boutique Hotel (PEG Ketchum Hotel, LLC) Lot Line Adjustment (File No. P19-064)
 - Findings of Fact, Conclusions of Law, and Order of Decision for the Ketchum Boutique Hotel (PEG Ketchum Hotel, LLC) Floodplain Development / Waterways Design Review (File No. P19-062)
 - **Master Joint Hearings Compiled Record of Proceedings on Remand (PEG Ketchum Hotel, LLC) [City Council - February 16, 2021]**
- EXECUTIVE SESSION
 - 19. ACTION ITEM: Enter into Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)
- ADJOURNMENT

If you need special accommodations, please contact the City of Ketchum in advance of the meeting. This agenda is subject to revisions and additions. Revised portions of the agenda are underlined in bold. Public information on agenda items is available in the Clerk's Office located at 480 East Ave. N. in Ketchum or by calling 726-3841.

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Thank you for your participation.



CITY OF KETCHUM, IDAHO CITY COUNCIL MEETING
Monday, February 01, 2021, 4:00 PM
480 East Avenue, North, Ketchum, Idaho

Minutes

In recognition of the Coronavirus (COVID-19), members of the public may observe the meeting live on the City's website at ketchumidaho.org/meetings.

If you would like to comment on a PUBLIC HEARING item, please submit your comment to participate@ketchumidaho.org by noon the day of the meeting.

Comments will be provided to the Mayor and Council. If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.

Dial-in: +1 253 215 8782
Meeting ID: 957 3689 1689

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Bradshaw called the meeting to order at 4:00pm.

- ROLL CALL

PRESENT

Mayor Neil Bradshaw
Council President Courtney Hamilton (Teleconference)
Councilor Amanda Breen (Teleconference)
Councilor Michael David (Teleconference)
Councilor Jim Slanetz (Teleconference)

ALSO PRESENT

City Attorney Matt Johnson (Teleconference)
City Attorney Bill Gigray (Teleconference)
City Administrator Jade Riley
Planning & Building Director Suzanne Frick
Director of Finance & Internal Services Grant Gager
Senior Planner Brittany Skelton

- COMMUNICATIONS FROM MAYOR AND COUNCILORS

Council President Hamilton commented that COVID rates are still extremely high in Blaine County and urged everyone to continue to be vigilant.

Councilor Slanetz commented that cars are driving way too fast and encouraged people to slow down and be safe.

Councilor Breen and Councilor David had no comments.

Mayor Bradshaw expressed his condolences to the family of Greg Plowman and issued a reminder that the avalanche danger is high and encouraged everyone to be safe.

● **CONSENT AGENDA:** Note: **(ALL ACTION ITEMS)** The Council is asked to approve the following listed items by a single vote, except for any items that a Councilmember asks to be removed from the Consent Agenda and considered separately

1. Approval of Minutes: Regular Meeting January 19, 2021
2. Approval of Minutes: Special Meeting January 15, 2021
3. Approval of Minutes: Special Meeting January 11, 2021
4. Authorization and approval of the payroll register
5. Authorization and approval of the disbursement of funds from the City's treasury for the payment of bills in the total sum of \$746,266.54 as presented by the Treasurer.
6. Monthly Financial State of the City - Grant Gager, Director of Finance & Internal Services
7. Recommendation to approve the Townhouse Subdivision Final Plat submitted by Bruce Smith of Alpine Enterprises, on behalf of property owners Karoline Droege and Julia Sweeney, to convert an existing duplex containing two condominium units located at 128 and 130 Short Swing Lane (North Pass Condominiums No. 8: Units A & B) - Suzanne Frick, Director of Planning & Building

Council President Hamilton requested that items #2 and #5 be pulled from the consent agenda and considered separately.

Motion to approve consent agenda items #1, #3, #4, #6 and #7.

Motion made by Councilor Breen, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

For item #2, Council President Hamilton asked if we should update the minutes to reflect the request from Mr. Boyle.

Director of Finance & Internal Services Grant Gager noted that the additional comment referenced by Mr. Boyle was confirmed via the recording of the meeting and informed the City Council that it was their choice if they would like to have the minutes updated to include that comment.

Council President Hamilton indicated her preference to update the minutes as requested by Mr. Boyle.

Motion to approve item #2 with an update to Mr. Boyle’s comment stating that he also objected to the city providing no formal notice to the property owners of historic structures.

Motion made by Councilor President Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

For item #5, Council President Hamilton asked for clarification about the payment to Molly Snee for Recycling Art and if that should have been included in her monthly retainer fee.

City Administrator Jade Riley said that he did not have an answer, but that he would check with Public Affairs & Administrative Services Manager Lisa Enourato, who oversaw the project.

Motion to approve bills without the \$750 payment to Molly Snee for Recycling Art.

Motion made by Council President Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

- PUBLIC HEARING

8. ACTION ITEM: Ketchum Boutique Hotel Re-Hearing: 260 E River Street Project Location: Includes three parcels (251 S. Main Street – Ketchum Townsite Lots 3, 21, FR 22 Blk 82 N 10’ x 110’ of alley S 20’ x 230’ of alley, 260 E. River Street – Ketchum Townsite Lot 2 Block 82 10’ x 110’ of alley, and 280 E. River Street – Ketchum Townsite Lot 1 Block 82). - Suzanne Frick, Director of Planning & Building

Joint Hearings Applications:

- Application for Floodplain Development Permit (File No. P19-062)
- Application for Lot Line Adjustment (File No. P19-064)
- Application for Planned Unit Development Conditional Use Permit (File No. P19-063)
- Application for Waiver (File No. P20-069)

Mayor Bradshaw introduced the process and turned it over to Suzanne Frick to provide an introduction to the Staff Report.

Suzanne commented that there was an addendum provided to Council with public comment that has come in since the Agenda Packet initially went out. She stated that those documents have been added to the record.

Motion to admit records of proceedings.

***Motion made by Council President Hamilton, Seconded by Councilor David.
Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz***

Mayor Bradshaw then turned it over to the applicant for a presentation.

Deborah Nelson, attorney representing the applicant, presented to the City Council, providing an overview of the proposed project and the requested waivers.

Justin Heppler, project architect, presented to the City Council providing an overview of the design of the project.

Mayor Bradshaw then opened the item up for public comment.

Perry Boyle called in to voice his opposition to the project, stating that the scale of the hotel did not fit with the size of the lot and the character of Ketchum. He referenced the thousands of signatures on the petition and the large number of public comments in opposition to the hotel and urged the City Council not to approve the project.

Ben Worst, attorney representing 220 East River Street LLC, called on behalf of his client to the west of the proposed project. He voiced his concern over the reduced side-yard setback and urged City Council to require the generator to be placed indoors. He also voiced his concern over laundry and garage venting, the proposed walkway along the setback and the loss of on street public parking.

Mayor Bradshaw closed public comment at 4:55pm.

Councilor Breen asked the applicant if the concerns brought up by Ben Worst would be addressed.

The applicant said they already addressed the generator by moving it within the building and that laundry venting issues could be mitigated with a system that they have used before.

Councilor Breen encouraged the applicant to continue to engage with Ben Worst and his client throughout the process.

Mayor Bradshaw indicated that the City Council would be moving on to deliberation.

1. Floodplain Development Permit (P19-062)

Council President Hamilton clarified that the project will be staying out of the riparian area.

Motion to approve of Floodplain Permit P19-062 subject to the findings and conditions approved by the Planning and Zoning Commission.

***Motion made by Council President Hamilton, Seconded by Councilor Breen.
Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz***

2. Lot Line Adjustment (P19-064)

Councilor Slanetz asked if this has to do with the minimum lot size. Mayor Bradshaw clarified that the minimum lot size is part of the PUD Conditional Use Permit (P19-063).

Motion to approve of Lot Line Adjustment P19-064 subject to the findings and conditions approved by the Planning and Zoning Commission

***Motion made by Council President Hamilton, Seconded by Councilor David.
Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz***

3. Planned Unit Development Conditional Use Permit (P19-063)

Councilor Breen asked City Attorney Bill Gigray to explain the City Council's waiver authority as it applies to this project. Bill provided a review of the prior legal discussion that the City Council had.

Councilor Slanetz stated that he sees overwhelming opposition in the community to this project. He stated that he thinks waivers should be used for a project that has more community support.

Bill clarified that if the City Council were to decide to deny the PUD, they should ensure that they are relying on conditions in the city's existing ordinances.

Council President Hamilton reviewed the waivers and stated that they all seemed reasonable to her.

Councilor David voiced his agreement with Council President Hamilton. He stated that he's heard from the community that they are okay with a hotel on the site, but not the proposed hotel. However, he feels that the project has been improved and will provide benefits to the community.

City Attorney Matt Johnson provided a further overview of the Planned Unit Development (PUD) Ordinance.

Councilor Breen voiced her support for approving the project.

Councilor Slanetz reminded everyone that he was a dissenting vote the first time the project was heard.

Motion to approve of Planned Unit Development Conditional Use Permit P19-063 subject to the findings and conditions approved by the Planning and Zoning Commission

Motion made by Councilor Breen, Seconded by Councilor David.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

Motion to continue the hearing to the February 16, 2021 Regular City Council meeting for the purpose of review and approval of the Findings of Fact, Conclusions of Law, and Decisions on the applications.

Motion made by Council President Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

9. ACTION ITEM: Second reading of Ordinance #1217 adopting the 2018 International Building Code, International Residential Code, International Energy Conservation Code, International Existing Building Code, International Property Maintenance Code, and the International Fire Code, including local amendments to said codes that reflect local concerns. Amendments affect Chapters 15.04, Building Codes, and 15.08, Fire Code - Suzanne Frick, Director of Planning & Building

Mayor Bradshaw introduced the item and opened it up for public comment.

There was no public comment.

Mayor Bradshaw closed public comment.

Motion to approve the second reading of Ordinance #1217 and read by title only.

Motion made by Council President Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

Council President Hamilton read by title only.

- NEW BUSINESS (no public comment required)
- 10. Update on franchise agreement and potential service enhancements with Clear Creek Disposal - Jade Riley, City Administrator

City Administrator Jade Riley introduced the item and gave a presentation. He provided optional service enhancements for the City Council to consider (1) move to co-mingled recycling (2) offer new organic/compost service (3) each item could be offered on every other week.

Jade commented that the next steps include a Joint Meeting with Blaine County on Thursday, February 4th. The plan would be to bring the item back to the City Council at the next Regular

City Council Meeting on February 16th. After community input, the item would then be brought back to the City Council for final approval in March.

Councilor Slanetz stated that there needs to be more education on what can be recycled and where. He also stated that composting can be done in the yard and encouraged an educational campaign on that as well, to save on the carbon footprint of transporting composable materials.

Council President Hamilton thanked Jade for bringing this conversation to the attention of the public and the City Council now before the franchise agreement is up in May. She stated that she is curious to see how the public responds to rate increases. She asked Jade what type of contamination the City of Boise saw with compost. He said that Boise did not offer commercial composting and that helped to keep contamination low. Councilor Hamilton then asked about the wildlife impacts of the proposed changes. Jade said that the city might pursue an opt-in program for bear proof containers due to the cost of the containers.

Councilor Breen said that she is encouraged to see this topic come forward.

Councilor David thanked Mike Goitiandia of Clear Creek for his partnership on this item.

- EXECUTIVE SESSION

11. ACTION ITEM: Enter into Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)

Motion to go into Executive Session pursuant to 74-206(1)(f).

Motion made by Councilor Breen, Seconded by Council President Hamilton.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

- ADJOURNMENT

Motion to adjourn at 6:27pm.

Motion made by Council President Hamilton, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

Neil Bradshaw, Mayor

Katrin Sharp, Deputy City Clerk



Minutes

- CALL TO ORDER: By Mayor Neil Bradshaw

Mayor Bradshaw called the meeting to order at 4:06pm.

- ROLL CALL

PRESENT

Mayor Neil Bradshaw (Teleconference)
Council President Courtney Hamilton (Teleconference)
Councilor Amanda Breen (Teleconference)
Councilor Michael David (Teleconference)
Councilor Jim Slanetz (Teleconference)

ALSO PRESENT

City Attorney Matt Johnson (Teleconference)
City Administrator Jade Riley (Teleconference)

1. ACTION ITEM: Approval of Amended Agenda

Motion to amend Agenda.

Motion made by Councilor Breen, Seconded by Councilor Slanetz.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

- EXECUTIVE SESSION

2. ACTION ITEM: Enter into Executive Session to Consider the Evaluation of Personnel pursuant to 74-206(1)(b)
3. ACTION ITEM: Enter into Executive Session to Communicate with Legal Counsel on litigation pursuant to 74-206(1)(f)

Motion to go into Executive Session pursuant to 74-206(1)(b) and 74-206(1)(f).

Motion made by Council President Hamilton, Seconded by Councilor Breen.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

- NEW BUSINESS

4. ACTION ITEM: Approval of Personnel Agreement

Motion to approve Personnel Agreement.

Motion made by Council President Hamilton, Seconded by Councilor Breen.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

- ADJOURNMENT

Motion to adjourn at 4:43pm.

Motion made by Councilor Slanetz, Seconded by Council President Hamilton.

Voting Yea: Council President Hamilton, Councilor Breen, Councilor David, Councilor Slanetz

Neil Bradshaw, Mayor

Katrin Sharp, Deputy City Clerk

Report Criteria:

Invoices with totals above \$0 included.
Paid and unpaid invoices included.
[Report].GL Account Number = "0110000000"- "9648008200", "9910000000"- "9911810000"
Invoice Detail.Voided = No, Yes

Vendor Name	Invoice Number	Description	Net Invoice Amount
GENERAL FUND			
01-2175-8000 P/R DEDUC PBL--EMP CAF FSA-MD			
NBS-NATIONAL BENEFIT SERVI	CP275668	FSA	2,877.20
NBS-NATIONAL BENEFIT SERVI	CP275668	FSAROLL	1,081.08
NBS-NATIONAL BENEFIT SERVI	CP275668	FSA	1,173.72
01-2175-9000 P/R DEDUC PBL--EMP CAF FSA-DC			
NBS-NATIONAL BENEFIT SERVI	CP275668	DCA	1,383.54
Total :			6,515.54
LEGISLATIVE & EXECUTIVE			
01-4110-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	22.95
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	45.00
01-4110-3200 OPERATING SUPPLIES			
US BANK	6235 012521	6235 - Zoom Subscription	199.90
Total LEGISLATIVE & EXECUTIVE:			267.85
ADMINISTRATIVE SERVICES			
01-4150-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	39.20
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA Vision	477.20
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	63.00
01-4150-3100 OFFICE SUPPLIES & POSTAGE			
COPY & PRINT, L.L.C.	106087	Office Supplies	5.98
GEM STATE PAPER & SUPPLY	1039898-01	Plates	70.07
GEM STATE PAPER & SUPPLY	1044050	Paper Supplies	49.63
TREASURE VALLEY COFFEE INC	2160 07214066	Spring Water	15.90
UNITED STATES POSTMASTER	3801 021021	SVASB Post Box - will be refunded to City	106.00
US BANK	6235 012521	6235 - Certified Mail	6.95
01-4150-4200 PROFESSIONAL SERVICES			
CASELLE, INC.	107517	Contract Support and Maintenance	2,204.00
US BANK	2745 012521	2745 - Job Ad for Senior Position	300.00
BROWN, LINDA DIANE	2102	Delivery for February 2021	100.00
SNEE, MOLLY	2101 3	Recycling Art	750.00
01-4150-5100 TELEPHONE & COMMUNICATIONS			
CENTURY LINK	74754376 0124	74754376 012421	2.98
US BANK	2745 012521	2745 - 8 x 8	2,492.64
COX WIRELESS	047131901 012	047131901 012621	89.00
01-4150-5110 COMPUTER NETWORK			
CDW GOVERNMENT, INC.	7083119	Computer Parts	3,797.50
KETCHUM COMPUTERS, INC.	17689	Computer Support	7,886.70

Vendor Name	Invoice Number	Description	Net Invoice Amount
KETCHUM COMPUTERS, INC.	17705	Computer Support - URA	67.50
US BANK	0568 012521	0568 - Dropbox	2,250.00
01-4150-5150 COMMUNICATIONS			
US BANK	6235 012521	6235 - Shutterstock Communications	30.74
US BANK	6235 012521	6235 - Facebook Communications	19.99
US BANK	6235 012521	6235 - Constant Contact Communications	9.50
US BANK	6235 012521	6235 - Facebook Communications	25.00
US BANK	6235 012521	6235 - Facebook Communications	35.00
US BANK	6235 012521	6235 - Mailchimp Communications	87.99
US BANK	6235 012521	6235 - Facebook Communications	25.00
SNEE, MOLLY	2101 2	January Retainer Fee	4,150.00
01-4150-5200 UTILITIES			
CITY OF KETCHUM	020521	9997 - January	333.70
CITY OF KETCHUM	020521	9994 - January	202.57
CITY OF KETCHUM	020521	772 - January	61.15
CITY OF KETCHUM	020521	360 - January	51.15
CLEAR CREEK DISPOSAL	0001383323	960 012721	34.20
CLEAR CREEK DISPOSAL	0001383325	960 012721	253.50
CLEAR CREEK DISPOSAL	0001384409	951449 012721	60.00
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	890.98
INTERMOUNTAIN GAS	44919030005 0	44919030005 012621	40.73
01-4150-5900 REPAIR & MAINTENANCE-BUILDINGS			
A.C. HOUSTON LUMBER CO.	2102-733849	Ice Melt	40.00
US BANK	6235 012521	6235 - Top Mount Fridge and Recycle Appliance Pick Up	1,344.96
WILRO PLUMBERS LLC	16812	Starbucks Sprinkler Service	65.00
ECONOLITE CONTROL PRODUC	INV012921	Hawk Radios	3,500.00
Total ADMINISTRATIVE SERVICES:			32,035.41
PLANNING & BUILDING			
01-4170-2505 HEALTH REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	1,732.11
01-4170-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	22.70
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA Vision	368.80
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	36.00
01-4170-3100 OFFICE SUPPLIES & POSTAGE			
US BANK	4694 012521	4694 - Transcription Kit for Planning	129.95
US BANK	6235 012521	6235 - Moo Business Cards - Maureen	39.65
01-4170-4200 PROFESSIONAL SERVICES			
HARMONY DESIGN & ENGINEE	20401	Engineering	227.50
01-4170-4210 PROFESSIONAL SERVICES - IDBS			
DIVISION OF BUILDING SAFETY	020421	January 2021 Building Permit Fees	15,019.25
01-4170-4400 ADVERTISING & LEGAL PUBLICATIO			
EXPRESS PUBLISHING, INC.	10002196 0131	10002196 013121	1,268.95
Total PLANNING & BUILDING:			18,844.91

Vendor Name	Invoice Number	Description	Net Invoice Amount
FACILITY MAINTENANCE			
01-4194-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	27.47
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	27.00
01-4194-3200 OPERATING SUPPLIES			
GEM STATE PAPER & SUPPLY	1043249	Paper Supplies	304.80
GEM STATE PAPER & SUPPLY	1043950	Paper Supplies	107.78
GEM STATE PAPER & SUPPLY	1043950	Gloves	27.99
US BANK	2022 012521	2022 - Hi Vis Winter Jacket	52.96
US BANK	2022 012521	2022 - Hi Vis Hoodys	81.98
01-4194-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	958524	38950 013121	359.60
01-4194-5200 UTILITIES			
CITY OF KETCHUM	020521	9996 - January	51.16
CITY OF KETCHUM	020521	1245 - January	37.29
CITY OF KETCHUM	020521	9991 - January	53.36
CITY OF KETCHUM	020521	9995 - January	41.61
CITY OF KETCHUM	020521	456 - January	13.87
CITY OF KETCHUM	020521	532 - January	52.26
CITY OF KETCHUM	020521	536 - January	124.83
CITY OF KETCHUM	020521	560 - January	13.87
CITY OF KETCHUM	020521	1127 - January	13.86
CLEAR CREEK DISPOSAL	0001384112	56339 012721	141.20
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	11.99
INTERMOUNTAIN GAS	65669030002 0	65669030002 012721	9.79
01-4194-5300 CUSTODIAL & CLEANING SERVICES			
WESTERN BUILIDNG MAINTEN	0128392-IN	Disinfectant Services	430.00
WESTERN BUILIDNG MAINTEN	0128392-IN	Monthly Janitorial Service	4,798.12
01-4194-6950 MAINTENANCE			
PIPECO, INC.	S4014713.001	Snow Scoop	60.14
Total FACILITY MAINTENANCE:			6,842.93
POLICE			
01-4210-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	9.80
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA Vision	900.00
01-4210-3100 OFFICE SUPPLIES & POSTAGE			
US BANK	6235 012521	6235 - Moo Business Cards - Cameron	65.14
01-4210-3200 OPERATING SUPPLIES			
UNITED OIL	958535	39060 013121	96.46
01-4210-3620 PARKING OPS EQUIPMENT FEES			
CALE AMERICA, INC.	162600	January Active Meters	165.00
OMNI PARK	122555	Omni Park Subscription	737.00
01-4210-4200 PROFESSIONAL SERVICES			
KETCHUM COMPUTERS, INC.	17690	Computer Support - BCSO	1,748.25
DICK YORK'S AUTO SERVICE	87713	Winter Pilot Relocation Service	1,200.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
DICK YORK'S AUTO SERVICE	87728	Winter Pilot Relocation Service	1,200.00
DICK YORK'S AUTO SERVICE	87820	Winter Pilot Relocation Service	800.00
DICK YORK'S AUTO SERVICE	87949	Winter Pilot Relocation Service	1,200.00
Total POLICE:			8,121.65
FIRE & RESCUE			
01-4230-2505 HEALTH REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	2,679.67
01-4230-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	74.80
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	365.56
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	117.00
01-4230-3200 OPERATING SUPPLIES FIRE			
A.C. HOUSTON LUMBER CO.	2102-733849	Snow Shovel	23.29
LUTZ RENTALS	115753-1	Propane	8.44
PIPECO, INC.	S4014398.001	Snow Scoop	27.55
US BANK	4977 012521	4977 - Webcams	143.09
US BANK	4977 012521	4977 - Infrared Thermometer	48.58
US BANK	4977 012521	4977 - Online Staff Meeting	7.00
MUNICIPAL EMERGENCY SERIC	IN1545527	Bullard Helmets	348.69
BLUE PINE CREATIVE	93576-001393	Graphic Design Work For Fire Poster	199.80
01-4230-3210 OPERATING SUPPLIES EMS			
A.C. HOUSTON LUMBER CO.	2102-733849	Snow Shovel	23.29
ATKINSONS' MARKET	05384899	CoVID Blood Draw Supplies	14.40
BOUNDTREE MEDICAL	83930097	Medical Products	153.95
BOUNDTREE MEDICAL	83936524	Catheters	306.00
CHATEAU DRUG CENTER	2339858	Batteries	5.69
CHATEAU DRUG CENTER	2340806	Gel Ice Packs	37.94
LUTZ RENTALS	115753-1	Propane	8.44
NORCO	31260441	52355 013121	34.41
NORCO	31261509	54794 013121	217.00
PIPECO, INC.	S4014398.001	Snow Scoop	27.54
PRAXAIR DISTRIBUTION INC.	61352232	Cylinder Rental	59.30
US BANK	4977 012521	4977 - Online Staff Meeting	7.00
US BANK	4977 012521	4977 - Webcams	143.08
HENRY SCHEIN	88782111	Gloves	56.43
HENRY SCHEIN	88782111	Medical Supplies	19.74
HENRY SCHEIN	88814207	Medical Supplies	2.82
HENRY SCHEIN	89100202	Gauze Pads	12.88
HENRY SCHEIN	89100202	Masks and Gloves	170.79
01-4230-3500 MOTOR FUELS & LUBRICANTS FIRE			
UNITED OIL	958377	37267 013121	153.03
01-4230-3510 MOTOR FUELS & LUBRICANTS EMS			
UNITED OIL	958377	37267 013121	193.81
01-4230-4200 PROFESSIONAL SERVICES FIRE			
WFCA: DAILY DISPATCH	1186	Employment Ad	575.00
01-4230-4800 DUES, SUBSCRIPTIONS & MEMBERSH			
NATIONAL FIRE PROTECTION A	7862024X	Membership Renewal	175.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4230-4900 TRAINING/TRAVEL/MTG FIRE			
A.C. HOUSTON LUMBER CO.	2102-734733	Fire Academy Supplies	89.73
01-4230-4910 TRAINING EMS			
US BANK	4977 012521	4977 - AIARE Field Books	225.00
MINIDOKA MEMORIAL HOSPITA	13-01229	9/19/19 PALS Course	36.00
MINIDOKA MEMORIAL HOSPITA	13-01510	12/5/19 PALS Course	36.00
01-4230-4920 TRAINING-FACILITY			
CLEAR CREEK DISPOSAL	0001383624	1848 012721	57.46
IDAHO POWER	2224210258 02	2224210258 020521	74.86
01-4230-5100 TELEPHONE & COMMUNICATION FIRE			
MTE COMMUNICATIONS	056983 020121	056983 020121	15.12
VERIZON WIRELESS	842054354 012	842054354 012321	216.97
COX WIRELESS	027222301 012	027222301 012021	59.72
CENTRALSQUARE	306932	Mobile License Fees	2,915.08
01-4230-5110 TELEPHONE & COMMUNICATION EMS			
MTE COMMUNICATIONS	056983 020121	056983 020121	15.13
VERIZON WIRELESS	842054354 012	842054354 012321	216.98
COX WIRELESS	027222301 012	027222301 012021	59.71
CENTRALSQUARE	306932	Mobile License Fees	2,915.07
01-4230-6000 REPAIR & MAINT-AUTO EQUIP FIRE			
ALSCO - AMERICAN LINEN DIVI	LBOI1856481	5109 122120	10.14
ALSCO - AMERICAN LINEN DIVI	LBOI1859838	5109 010421	10.14
ALSCO - AMERICAN LINEN DIVI	LBOI1866861	5109 020121	10.14
CHATEAU DRUG CENTER	2339190	Heater and Ice Scraper	69.33
RIVER RUN AUTO PARTS	6538-162586	Wiper Blades	43.89
01-4230-6010 REPAIR & MAINT-AUTO EQUIP EMS			
ALSCO - AMERICAN LINEN DIVI	LBOI1856481	5109 122120	10.14
ALSCO - AMERICAN LINEN DIVI	LBOI1859838	5109 010421	10.14
ALSCO - AMERICAN LINEN DIVI	LBOI1866861	5109 020121	10.14
LES SCHWAB	11700671276	Credit	54.93-
LES SCHWAB	11700671277	Credit	34.27-
LES SCHWAB	11700671551	Flat Repair	109.99
Total FIRE & RESCUE:			13,568.69
STREET			
01-4310-2505 HEALTH REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	477.79
01-4310-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	47.58
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA Vision	239.74
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	81.00
01-4310-3200 OPERATING SUPPLIES			
BUSINESS AS USUAL INC.	153839	Office Supplies	56.94
US BANK	2022 012521	2022 - Privacy Blocker Marker	24.67
US BANK	6235 012521	6235 - Moo Business Cards - Brian	74.00

Vendor Name	Invoice Number	Description	Net Invoice Amount
01-4310-3500 MOTOR FUELS & LUBRICANTS			
WEX BANK	69924373	Fuel Purchases	558.29
UNITED OIL	958379	37269 013121	6,981.41
01-4310-4200 PROFESSIONAL SERVICES			
S. ERWIN EXCAVATION INC	21-034	Snow Hauling	12,101.25
HIATT TRUCKING, INC.	2861	SNOW HAULING	11,860.00
JOE'S BACKHOE SERVICES, INC.	239206	Snow Hauling	10,980.00
LUNCEFORD EXCAVATION, INC.	11842	Snow Hauling	9,040.00
RICK'S EXCAVATION, INC.	632	Snow Removal	4,080.00
RICK'S EXCAVATION, INC.	634	Snow Removal and Travel	560.00
ADVANCED WORKPLACE STRAT	455109	Random Drug Testing	153.50
01-4310-5200 UTILITIES			
CITY OF KETCHUM	020521	9993 - January	90.62
CITY OF KETCHUM	020521	9999 - January	52.26
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	1,024.99
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	304.81
INTERMOUNTAIN GAS	49439330009 0	49439330009 012621	264.71
01-4310-6000 REPAIR & MAINT--AUTOMOTIVE EQU			
NAPA AUTO PARTS	045115	TPS Sensor	37.48
NAPA AUTO PARTS	045117	Airflow Sensor	122.49
NAPA AUTO PARTS	045455	Core Deposit Credit	36.00-
01-4310-6100 REPAIR & MAINT--MACHINERY & EQ			
A.C. HOUSTON LUMBER CO.	2102-734594	Grader Parts	13.96
BOISE RIGGING SUPPLY	098923	Plow Truck Supplies	319.86
CLEARWATER POWER EQUIPME	1959	Flatbed Plow Lights	109.90
CLEARWATER POWER EQUIPME	319	F550 Bolt Nuts and Tap-Ends	138.26
FASTENAL COMPANY	IDJER94976	Plow Bolts	114.25
FASTENAL COMPANY	IDJER95138	Plow Bolts	60.75
OWEN EQUIPMENT	00101319	Plow Truck Axle	969.33
OWEN EQUIPMENT	101072	Plow Truck Axle	1,109.33
NAPA AUTO PARTS	044288	Battery	132.89
NAPA AUTO PARTS	044456	Dozer Part	39.96
NAPA AUTO PARTS	044926	Dozer Fluids	39.96
NAPA AUTO PARTS	045067	Chain Link Rollers	28.07
NAPA AUTO PARTS	045164	Battery and Deposit Credit	132.89-
NAPA AUTO PARTS	045385	Hose	251.50
NAPA AUTO PARTS	045588	Air Filter	13.99
NAPA AUTO PARTS	045589	Filter	16.49
NAPA AUTO PARTS	045643	Fastener	43.44
RIVER RUN AUTO PARTS	6538-162524	Throttle Ball	7.96
RIVER RUN AUTO PARTS	6538-162887	Sander Cable Fluid	13.95
RIVER RUN AUTO PARTS	6538-162919	Headlight	10.99
SILVER CREEK FORD	45007843	Radiator Cap	12.40
SILVER CREEK FORD	45007883	Clutch Asy	524.52
US BANK	2022 012521	2022 - Propane	19.99
US BANK	2022 012521	2022 - Bolts for Grader	55.87
WESTERN STATES CAT	CM00101827	Turbo Core Credit	909.18-
WESTERN STATES CAT	IN001541105	Hydraulic Ram	4,086.82
WESTERN STATES CAT	IN001541108	Grader Oil	630.04
WESTERN STATES CAT	IN001542534	Edge	380.28
01-4310-6910 OTHER PURCHASED SERVICES			
ALSCO - AMERICAN LINEN DIVI	LBO11868201	5831 020521	38.87
NORCO	31180864	53271 012021	59.86

Vendor Name	Invoice Number	Description	Net Invoice Amount
NORCO	31260517	53271 013121	221.65
RIVER RUN AUTO PARTS	6538-162887	60 Grit Grind	16.39
CINTAS FIRST AID & SAFETY	5047661516	First Aid Supplies	58.40
Total STREET:			67,675.39

RECREATION

01-4510-2505 HEALTH REIMBURSEMENT ACCT(HRA)

NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	957.79
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	50.00

01-4510-2515 VISION REIMBURSEMENT ACCT(HRA)

NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	25.80
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	112.00
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	36.00

01-4510-3100 OFFICE SUPPLIES & POSTAGE

ATKINSONS' MARKET	02970529	Office Supplies	14.32
US BANK	7926 012521	7926 - Notebooks	10.95

01-4510-3250 RECREATION SUPPLIES

CHATEAU DRUG CENTER	2343638	Valentine's Day Supplies	16.09
US BANK	7926 012521	7926 - 28 Sets of Hockey Laces	167.72
US BANK	7926 012521	7926 - Gloves	23.95
US BANK	7926 012521	7926 - 10 Sets of Hockey Laces	58.80

01-4510-3300 RESALE ITEMS-CONCESSION SUPPLY

ATKINSONS' MARKET	08227981	Concessions	88.66
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01-4510-3500 MOTOR FUELS & LUBRICANTS

LUTZ RENTALS	115674-1	Propane	27.38
UNITED OIL	958378	37268 013121	100.97

01-4510-5200 UTILITIES

INTERMOUNTAIN GAS	31904030009 0	31904030009 012621	193.48
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Total RECREATION: 1,883.91

Total GENERAL FUND: 155,756.28

GENERAL CAPITAL IMPROVEMENT FD

GENERAL CIP EXPENDITURES

03-4193-7400 COMPUTER/COPIER LEASING

GREAT AMERICA FINANCIAL SE	286357814	Copier Lease	1,590.13
DELL FINANCIAL SERVICES	80753228	Management Fee	11.30

Total GENERAL CIP EXPENDITURES: 1,601.43

Total GENERAL CAPITAL IMPROVEMENT FD: 1,601.43

ORIGINAL LOT FUND

ORIGINAL LOT TAX

22-4910-6080 MOUNTAIN RIDES

MOUNTAIN RIDES	11471	Monthly Installment 5/12	39,083.34
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Vendor Name	Invoice Number	Description	Net Invoice Amount
22-4910-6600 REFUNDS-LOT OVERPAYMENT			
PAPOOSE CLUB	012921	Refund Overpayment of Sales Tax	31.60
Total ORIGINAL LOT TAX:			39,114.94
Total ORIGINAL LOT FUND:			39,114.94
ADDITIONAL 1%-LOT FUND			
ADDITIONAL 1%-LOT			
25-4910-4220 SUN VALLEY AIR SERVICE BOARD			
SUN VALLEY AIR SERVICE BOA	020521	January 2021 Additional 1%	303,537.35
SUN VALLEY AIR SERVICE BOA	020521	Direct Cost's	5,522.66-
Total ADDITIONAL 1%-LOT:			298,014.69
Total ADDITIONAL 1%-LOT FUND:			298,014.69
FIRE BOND FUND			
FIRE BOND FUND EXP/TRNFERS			
41-4800-8200 DEBT SRVC ACCT INTEREST-ST EQ			
ZIONS BANK	4899909 02102	4899909 021021 Interest	309,544.49
Total FIRE BOND FUND EXP/TRNFERS:			309,544.49
Total FIRE BOND FUND:			309,544.49
FIRE CONSTRUCTION FUND			
FIRE FUND EXP/TRNFERS			
42-4800-4200 PROFESSIONAL SERVICES			
MATERIALS TESTING & INSPEC	181637 T20007	177688 T200074C Cylinder Pickup	154.00
DENNIS POTTS PROJECT MGMT,	1250	Construction Mgmt Services 13/21	12,807.80
42-4800-4205 PROF SERVICES ENGINEERING			
COLE ARCHITECTS PLLC	1634	Fire Station Design	21,902.33
Total FIRE FUND EXP/TRNFERS:			34,864.13
Total FIRE CONSTRUCTION FUND:			34,864.13
WATER FUND			
WATER EXPENDITURES			
63-4340-2505 HEALTH REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	54.13
63-4340-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	22.70
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA Vision	30.00
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	27.00
63-4340-3100 OFFICE SUPPLIES & POSTAGE			
US BANK	6235 012521	6235 - Moo Business Cards - Angela & Stephanie	79.30

Vendor Name	Invoice Number	Description	Net Invoice Amount
63-4340-3200 OPERATING SUPPLIES			
A.C. HOUSTON LUMBER CO.	2101-731798	Gloves	27.99
A.C. HOUSTON LUMBER CO.	2102-732283	Ice Melt	20.00
TREASURE VALLEY COFFEE INC	2160 07172905	COFFEE	60.30
63-4340-3250 LABORATORY/ANALYSIS			
GO-FER-IT	100604	292-012921	20.00
MAGIC VALLEY LABS, INC.	19277	Drinking water testing	97.00
63-4340-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	958381	37271 013121	300.96
63-4340-3800 CHEMICALS			
GEM STATE WELDERS SUPPLY,I	827183	55 gal T-Chlor	252.24
63-4340-4200 PROFESSIONAL SERVICES			
DIG LINE	0065359-IN	0000167 013121	72.50
WATER DISTRICT 37 & 37M	10188 012921	Ground Water - 37	1,777.57
WATER DISTRICT 37 & 37M	1284 012921	surface water - 37	537.46
63-4340-5200 UTILITIES			
IDAHO POWER	2203658592 01	2203658592 012521	4,779.67
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	9.79
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	53.73
63-4340-6000 REPAIR & MAINT-AUTO EQUIP			
HILLSIDE AUTO, INC.	36165	Water Dept Plow Truck Serviced	2,513.77
RIVER RUN AUTO PARTS	6538-162503	Oil Stop Leak	12.62
RIVER RUN AUTO PARTS	6538-162522	Wiper Blade	59.80
Total WATER EXPENDITURES:			10,808.53
WATER DEBT SERVICE EXPENDITRES			
63-4800-8700 DEBT SRVC ACCT INTEREST-2016			
CHASE	6421	Interest Due this period	9,622.93
Total WATER DEBT SERVICE EXPENDITRES:			9,622.93
Total WATER FUND:			20,431.46
WATER CAPITAL IMPROVEMENT FUND			
WATER CIP EXPENDITURES			
64-4340-7800 CONSTRUCTION			
FERGUSON ENTERPRISES, LLC	0770615	Corp Stop	325.84
Total WATER CIP EXPENDITURES:			325.84
Total WATER CAPITAL IMPROVEMENT FUND:			325.84
WASTEWATER FUND			
WASTEWATER EXPENDITURES			
65-4350-2505 HEALTH REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA	2,600.65

Vendor Name	Invoice Number	Description	Net Invoice Amount
65-4350-2515 VISION REIMBURSEMENT ACCT(HRA)			
NBS-NATIONAL BENEFIT SERVI	787774	FSA/HRA January 2021	35.85
NBS-NATIONAL BENEFIT SERVI	CP275668	HRA Vision	175.00
STARLEY-LEAVITT INS. AGENCY	16531 012521	16531 012521	54.00
65-4350-3200 OPERATING SUPPLIES			
TREASURE VALLEY COFFEE INC	2160 07172907	COFFEE	70.95
US BANK	9642 012521	9642 - Cell Phone Mount Holder	17.95
65-4350-3500 MOTOR FUELS & LUBRICANTS			
UNITED OIL	958380	37270 013121	367.97
65-4350-3800 CHEMICALS			
THATCHER COMPANY, Inc.	1513063	Alu Sulfate	4,967.25
65-4350-4200 PROFESSIONAL SERVICES			
ANALYTICAL LABORATORIES, I	78645	chemicals	803.53
COLUMBIA ELECTRIC SUPPLY	8819-1000245	Tech Connect Renewal	1,630.00
ADVANCED WORKPLACE STRAT	455109	Random Drug Testing	76.75
65-4350-5200 UTILITIES			
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	418.77
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	442.51
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	128.59
INTERMOUNTAIN GAS	32649330001 0	32649330001 012621	53.72
INTERMOUNTAIN GAS	58208688554 0	58208688554 012621	269.74
65-4350-6000 REPAIR & MAINT-AUTO EQUIP			
LES SCHWAB	11700672378	Tubeless ATV Tire	185.49
NAPA AUTO PARTS	045591	Deicer	26.15
65-4350-6100 REPAIR & MAINT-MACH & EQUIP			
McMASTER-CARR SUPPLY CO.	51818774	PVC Parts	373.99
NAPA AUTO PARTS	045682	Sea Foam Engine Cleaner	5.09
PIPECO, INC.	S4011699.001	PVC Pipe Supplies	40.92
PLATT ELECTRIC SUPPLY	Z815024	Stealth Sensor	340.27
THORNTON HEATING	46792	Gas Heater Serviced	96.00
UNITED OIL	196926	37270 020521	101.55
WESTERN STATES CAT	IN001533399	Oil Sample	419.51
WOOD RIVER WELDING, INC.	178283	Welding Boss Plow	20.14
WOOD RIVER WELDING, INC.	178324	Welding	123.73
WOOD RIVER WELDING, INC.	178389	Welding	27.80
WOOD RIVER WELDING, INC.	178447	Welding	50.40
65-4350-6900 COLLECTION SYSTEM SERVICES/CHA			
FRONTIER PRECISION, INC.	226492	Digital Antenna for Collections	500.00
Total WASTEWATER EXPENDITURES:			14,424.27
Total WASTEWATER FUND:			14,424.27
PARKS/REC DEV TRUST FUND			
PARKS/REC TRUST EXPENDITURES			
93-4900-6500 ICE RINK-PRIVATE			
KETCHUM AUTOMOTIVE INC.	90935	Alternator	243.37
KETCHUM AUTOMOTIVE INC.	90986	GMC Pickup Cotter Pin	53.90
US BANK	7926 012521	7926 - 3-Way Brass Ball Valve	164.84

Vendor Name	Invoice Number	Description	Net Invoice Amount
US BANK	7926 012521	7926 - Zamboni Parts	104.01
93-4900-6800 KETCHUM ARTS COMMISSION			
US BANK	4694 012521	4694 - Side Arts Credit	24.99-
Total PARKS/REC TRUST EXPENDITURES:			541.13
Total PARKS/REC DEV TRUST FUND:			541.13
Grand Totals:			874,618.66

Report Criteria:

Invoices with totals above \$0 included.
 Paid and unpaid invoices included.
 [Report].GL Account Number = "0110000000"- "9648008200", "9910000000"- "9911810000"
 Invoice Detail.Voided = No, Yes



City of Ketchum

February 16, 2021

Greg Cameron, Magic Valley, Commissioner
Members of the Idaho Fish and Game Commission
324 South 417 East, Suite 1
Jerome, ID 83338

Subject: No Wolf Trapping in Blaine County (Units 48 and 49)

Dear Commissioner Cameron and members of the Idaho Fish and Game Commission:

The City of Ketchum is writing to ask that the Idaho Fish and Game Commission (IDFG) keep wolf trapping out of Blaine County, Units 48 and 49, on public and private lands. Continuation of the current ban on wolf trapping is important to our economy, our health, safety, welfare, and the values of our residents and visitors.

The City of Ketchum passed Resolution 14-022 on September 15, 2014, asking Idaho's Governor, Idaho Fish and Game and U.S. Wildlife Services to request their support of the collaborative work of the Wood River Wolf Project and **to provide for the safety of our residents and backcountry recreation users by prohibiting trapping, snares and aerial shooting of wolves on public lands in our County.**

Consistent with the City of Ketchum's support of wildlife coexistence, the City passed Resolution 20-017 joining the Wildlife Smart Communities Coalition and is working with the Magic Valley IDFG Regional staff to prevent conflicts with bears, mountain lions, and other wildlife which are attracted to city neighborhoods.

The yearly efforts of the IDFG, the Idaho Trappers Association and the Foundation of Wildlife Management to keep pushing wolf trapping and hunting in Units 48 and 49 is hard to fathom when our local governments, business representatives and the public are so vocal against the proposal.

We practice coexistence with wildlife and support the Wood River Wolf Project's approach to non-lethal control of wolves. Please keep trapping out of Blaine County.

Sincerely,

Neil Bradshaw, Mayor
City of Ketchum

cc. Dick Fosbury, Chair, Blaine County Board of Commissioners
Senator Michelle Stennett, Representatives Muffy Davis and Sally Toone
Ed Schriever, Director, Idaho Fish and Game
Dr. Craig White, Magic Valley Region, Idaho Department of Fish and Game



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Receive and File Treasurer's Monthly Financial Report

Recommendation and Summary

Staff is recommending the council receive and file the Treasurer's monthly report in accordance with statutory requirements and adopt the following motion:

"I move to receive and file the Treasurer's financial report."

The reasons for the recommendation are as follows:

- State statute establishes requirements for monthly financial reports from the City Treasurer.

Introduction and History

Idaho State Statute 50-208 establishes requirements for monthly financial reports from the City Treasurer to the Council. The Statute provides that the Treasurer "render an accounting to the city council showing the financial condition of the treasury at the date of such accounting."

Analysis

Pursuant to the above statutory requirements, enclosed for Council review is a monthly financial report showing the financial condition of the City in the current fiscal year. This report, along with complete financial statements, is available on the City's website.

Sustainability Impact

There is no sustainability impact arising from this reporting.

Financial Impact

There is no financial impact arising from this reporting.

Attachments

- Attachment A: Monthly Financial Report Charts



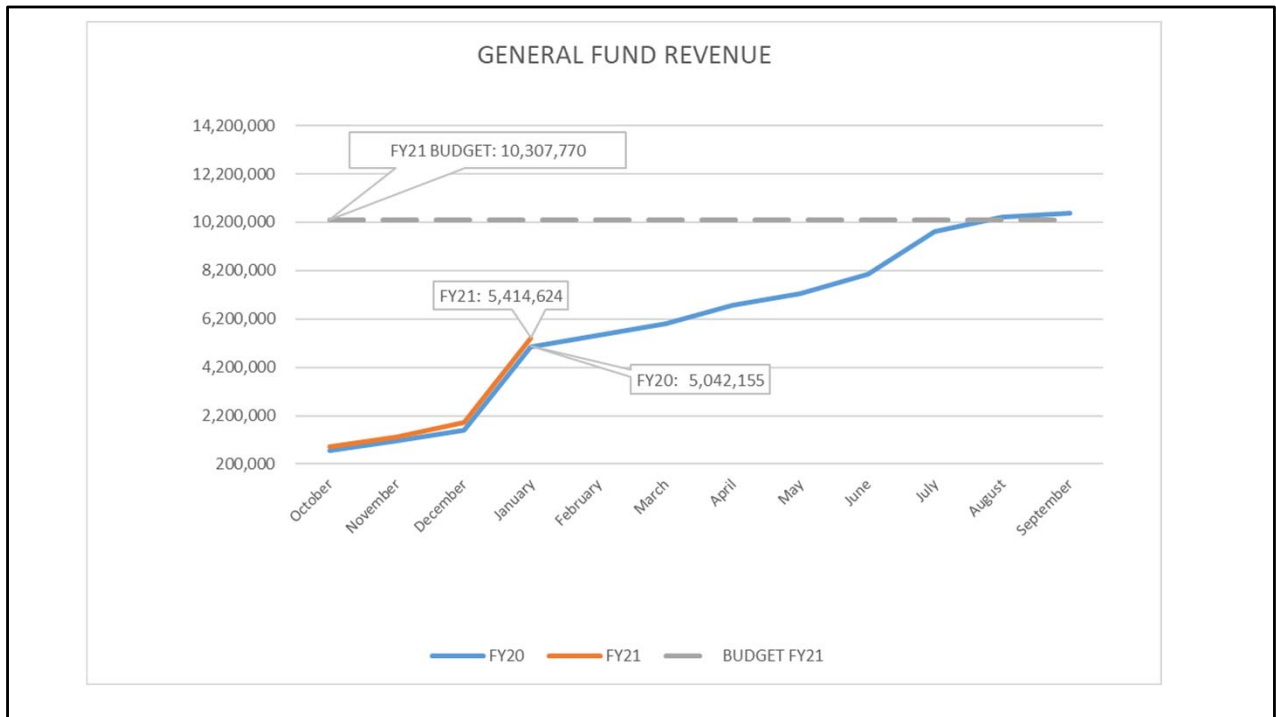
Monthly Financial Reports

As of January 31, 2021

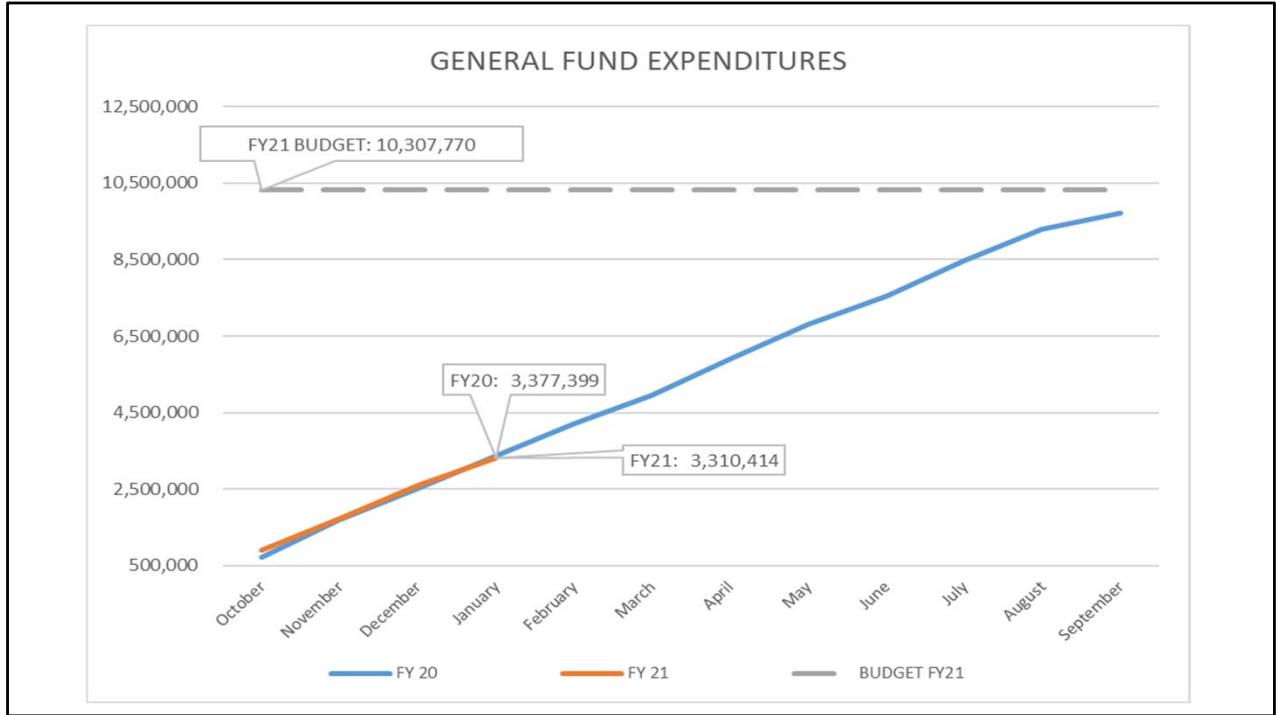
This packet is divided into three sections: (1) General Fund charts (pages 2-13); (2) Original LOT charts (pages 14-18); (3) Enterprise Fund charts (pages 19-23); and Off-Street Parking Lot charts (pages 24-28).

Each chart includes information on current progress relative to the prior year and also the current budget. Where deviations are 5% or greater, an explanation on the major drivers of such changes is included.

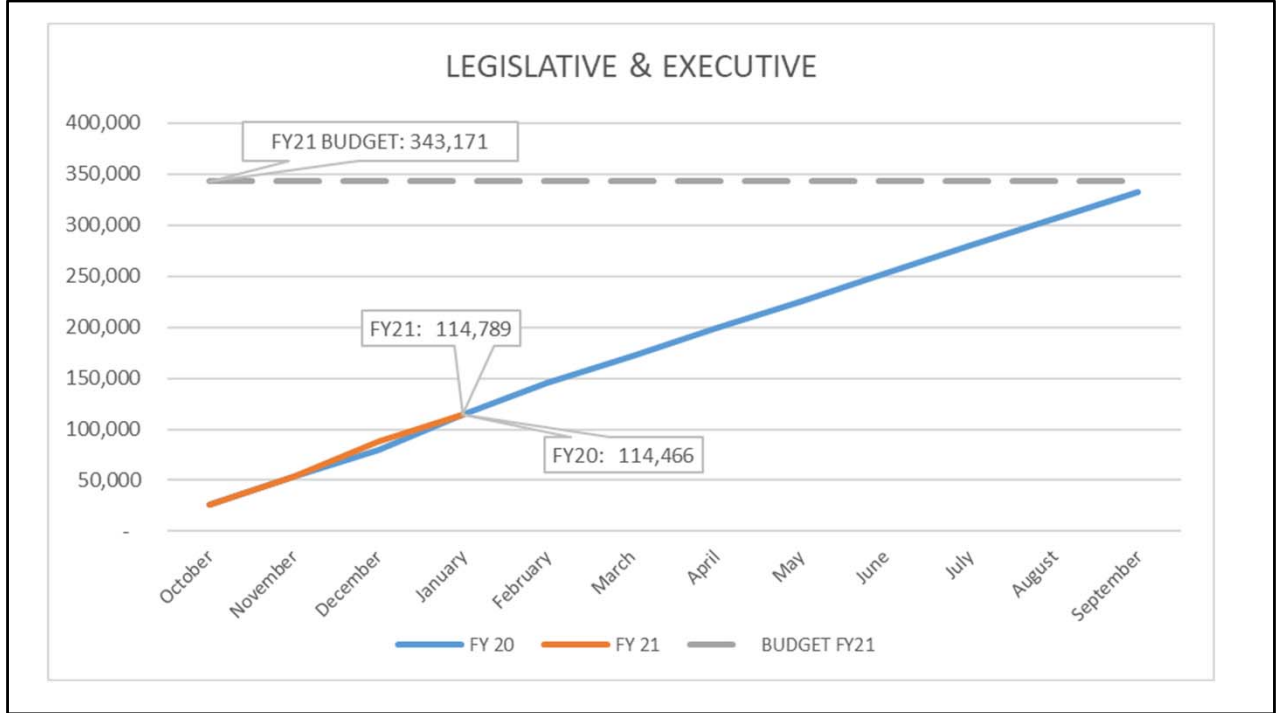
General Fund



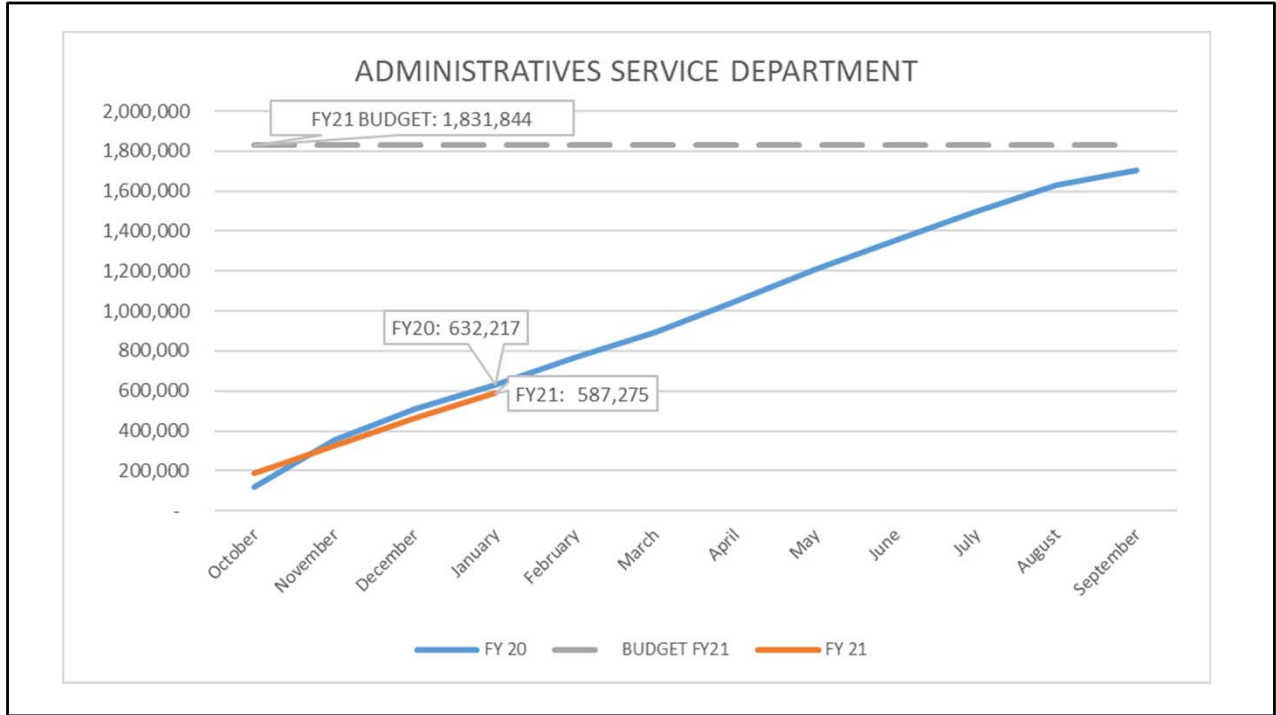
The General Fund revenues are up approximately \$372,469 (7.4%) in FYTD. This increase is largely due to property tax and planning and building fee-related revenue sources.



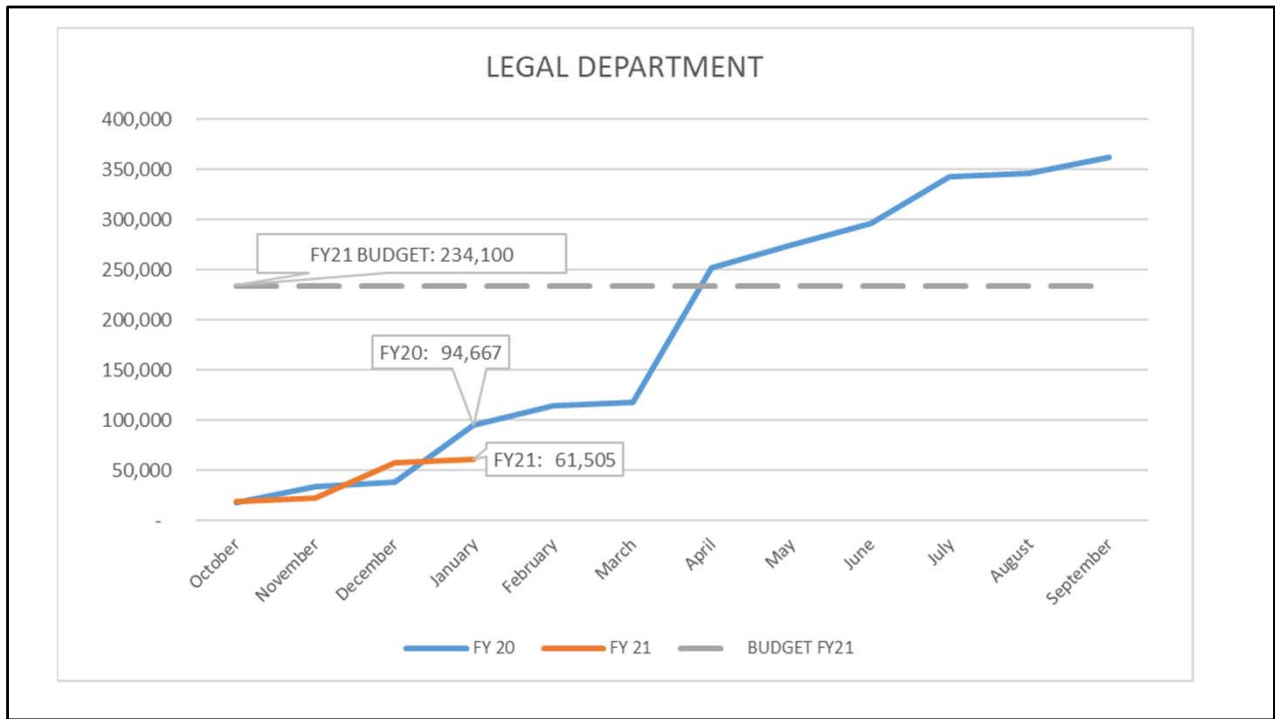
The General Fund expenditures are down \$66,985 (1.9%) FYTD.



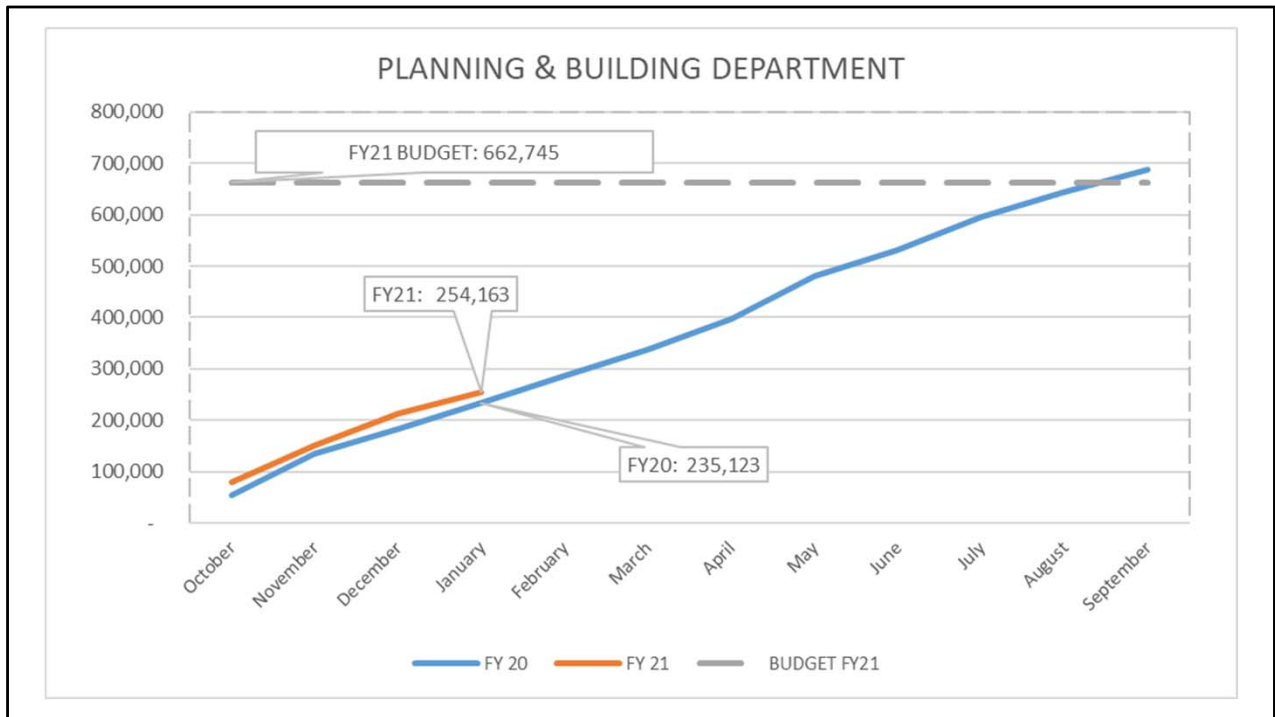
The Legislative & Executive Department expenditures are up \$323 (0.28%) FYTD.



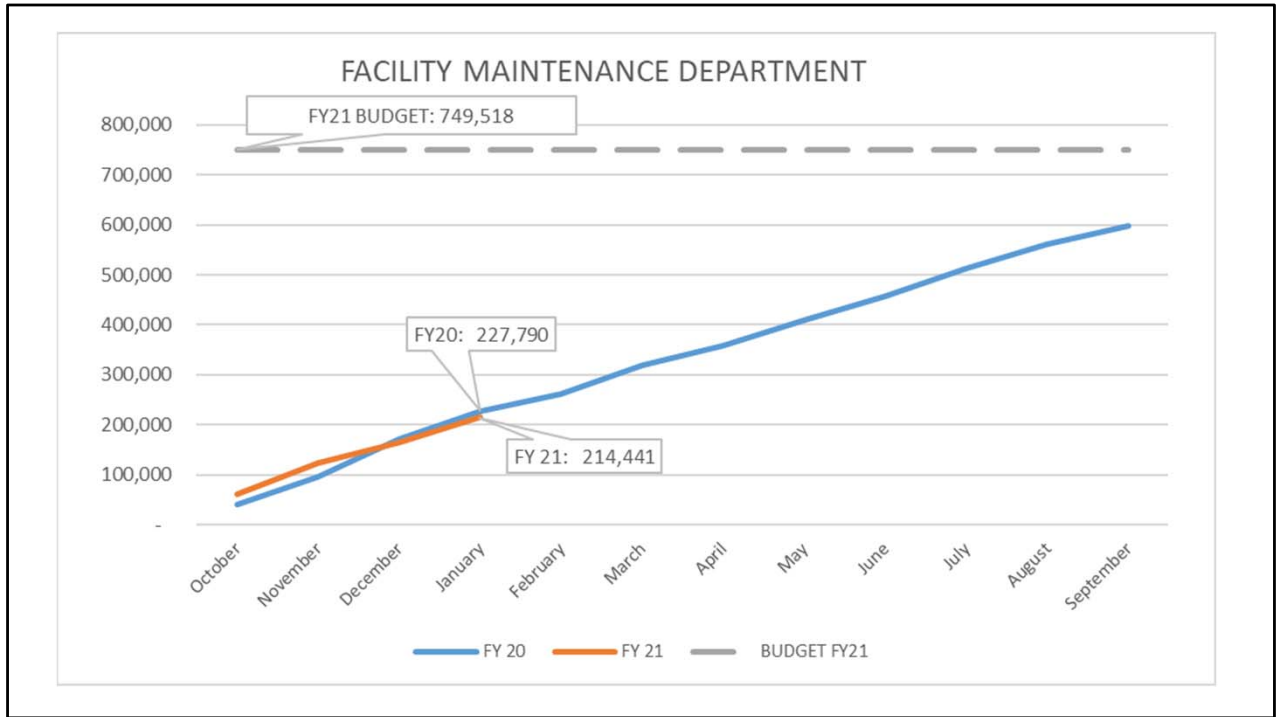
The Administrative Services Department expenditures are down \$44,942 (7%) FYTD. This decrease is largely due to timing of certain payments.



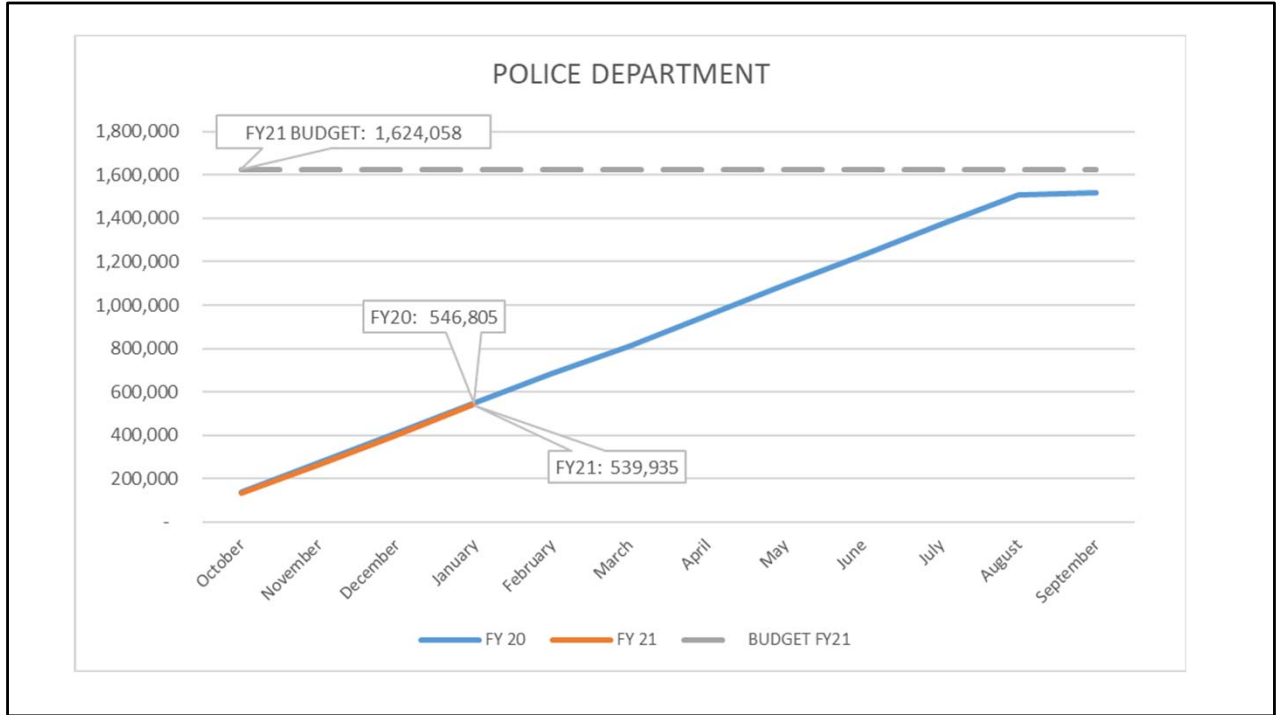
The Legal Department expenditures are down \$33,162 (35%) FYTD. This decrease is largely due to professional service fees.



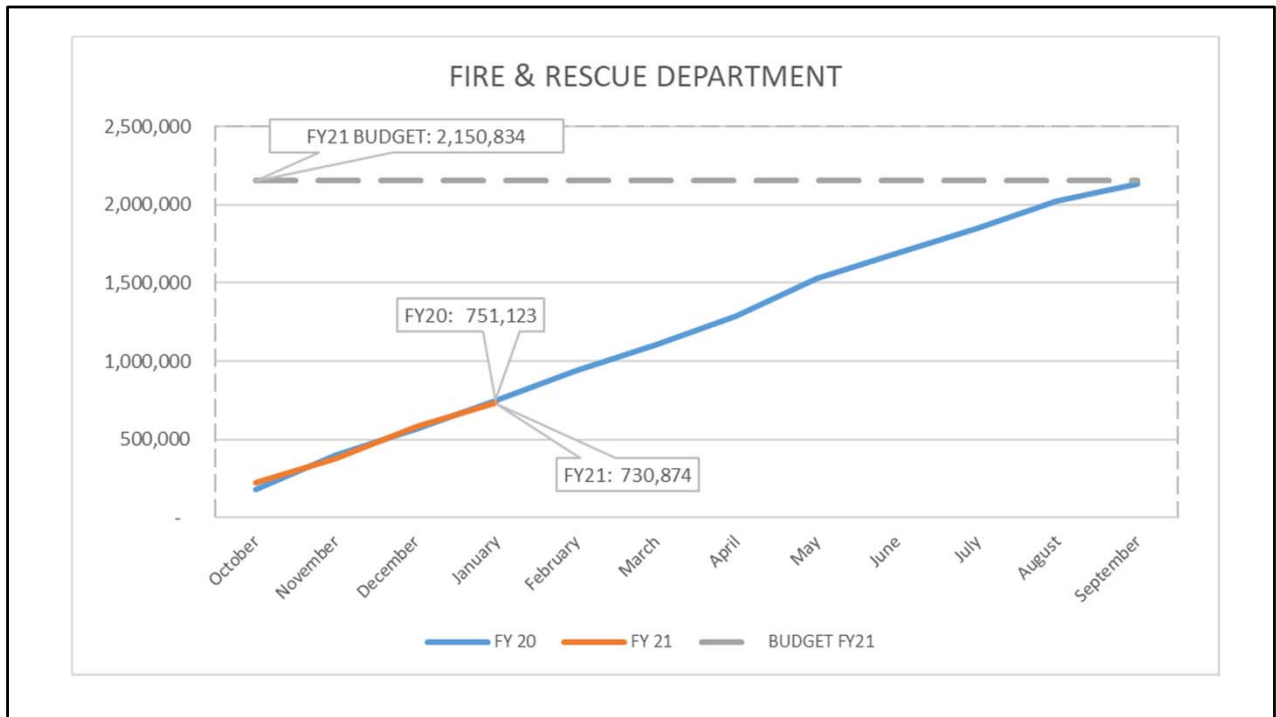
The Planning & Building Department expenditures are up \$19,040 (8%) FYTD. This increase is due to the increase in building permit applications processed through DBS.



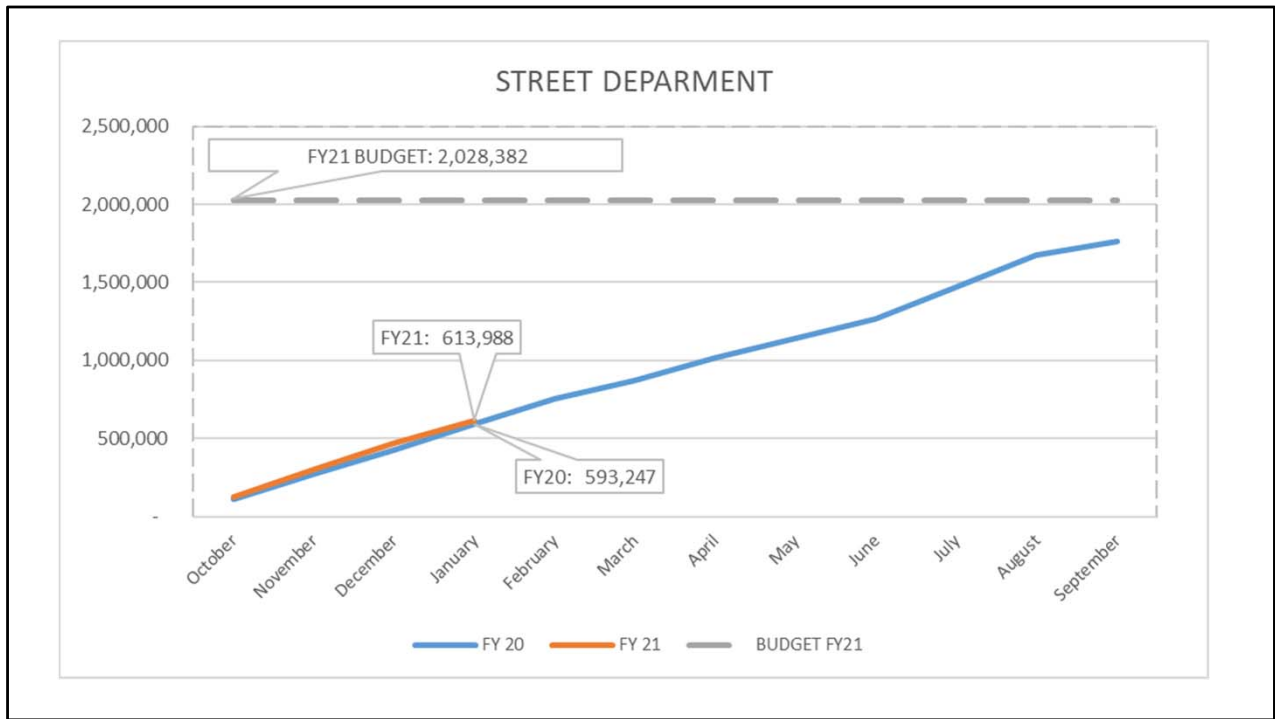
The Facilities Maintenance Department expenditures are down \$13,349 (5%) FYTD.



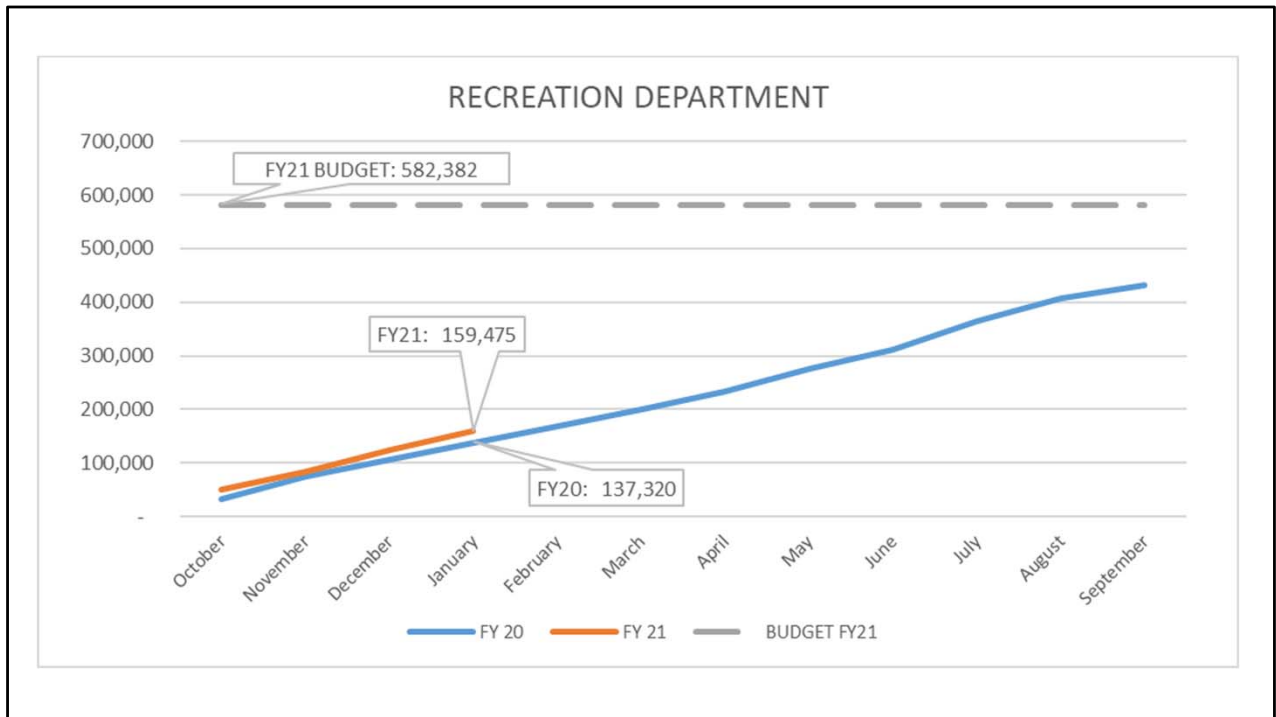
The Police Department expenditures are down \$6,870 (1%) FYTD.



The Fire & Rescue Department expenditures are down \$20,249 (2.7%) FYTD.

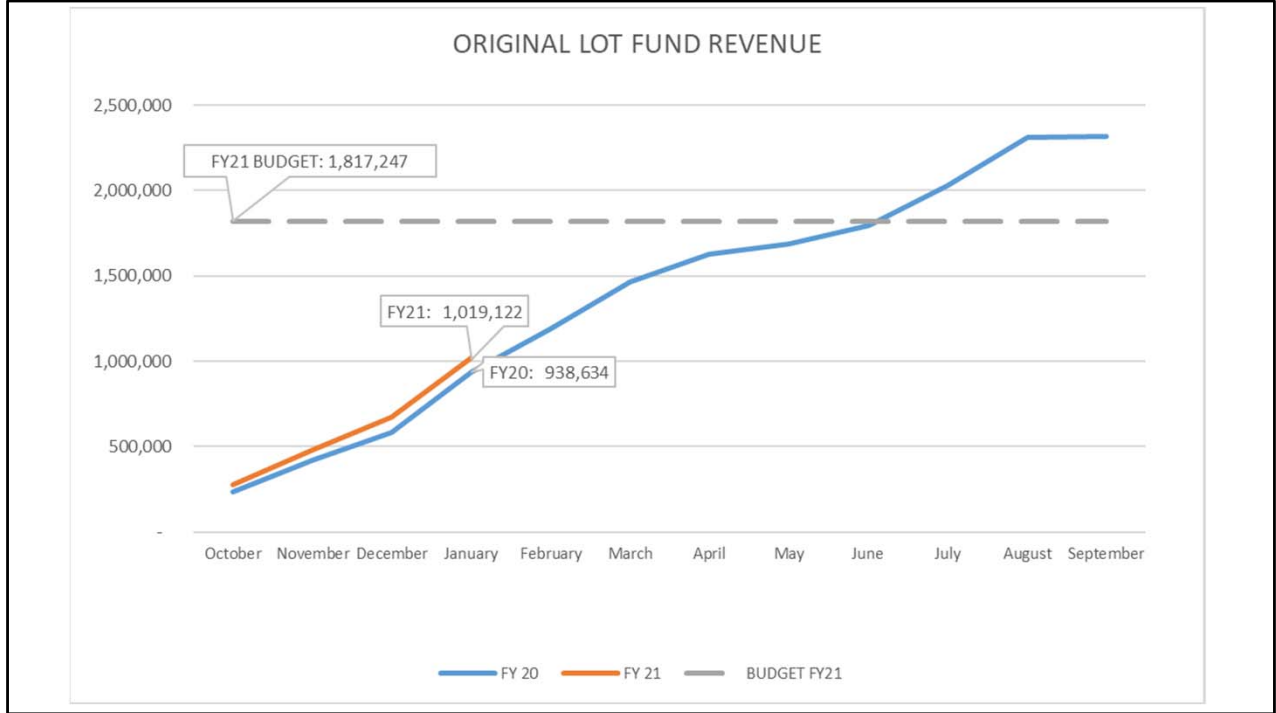


The Streets Department expenditures are up \$20,741 (3.5%) FYTD.

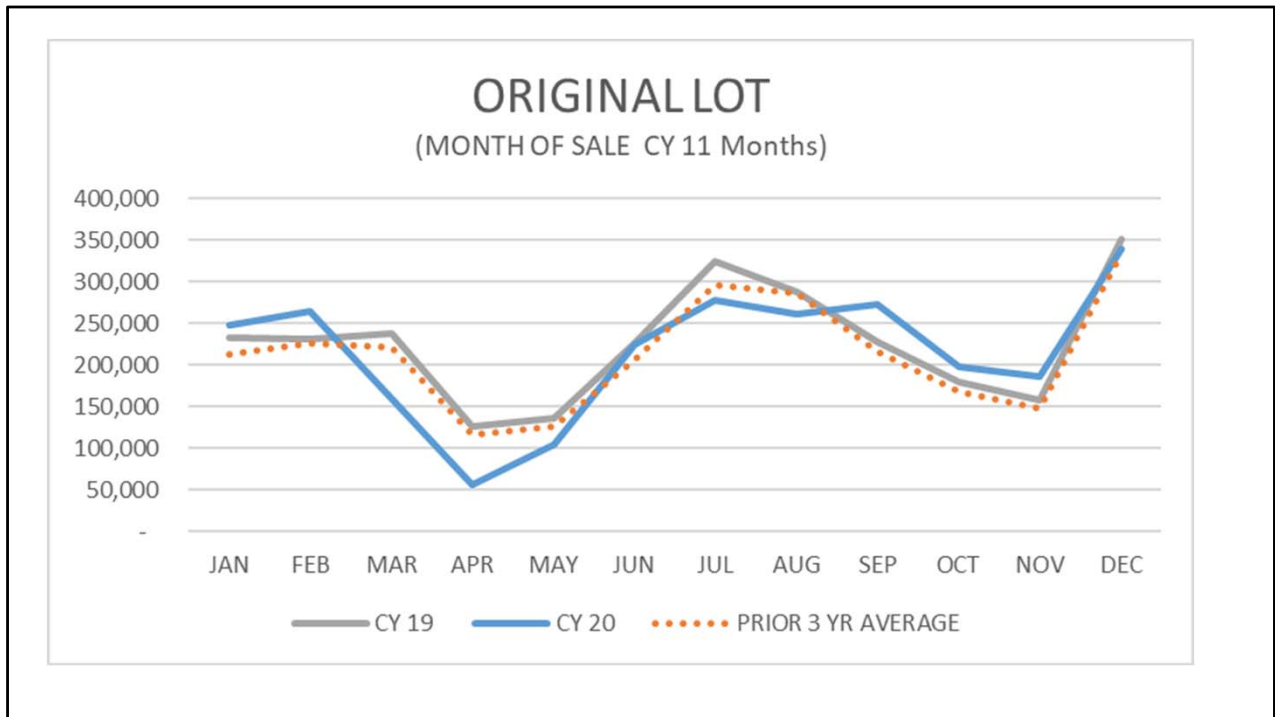


The Recreation Department expenditures are up \$22,155 (16%) FYTD. This increase is largely due to salary and benefit costs.

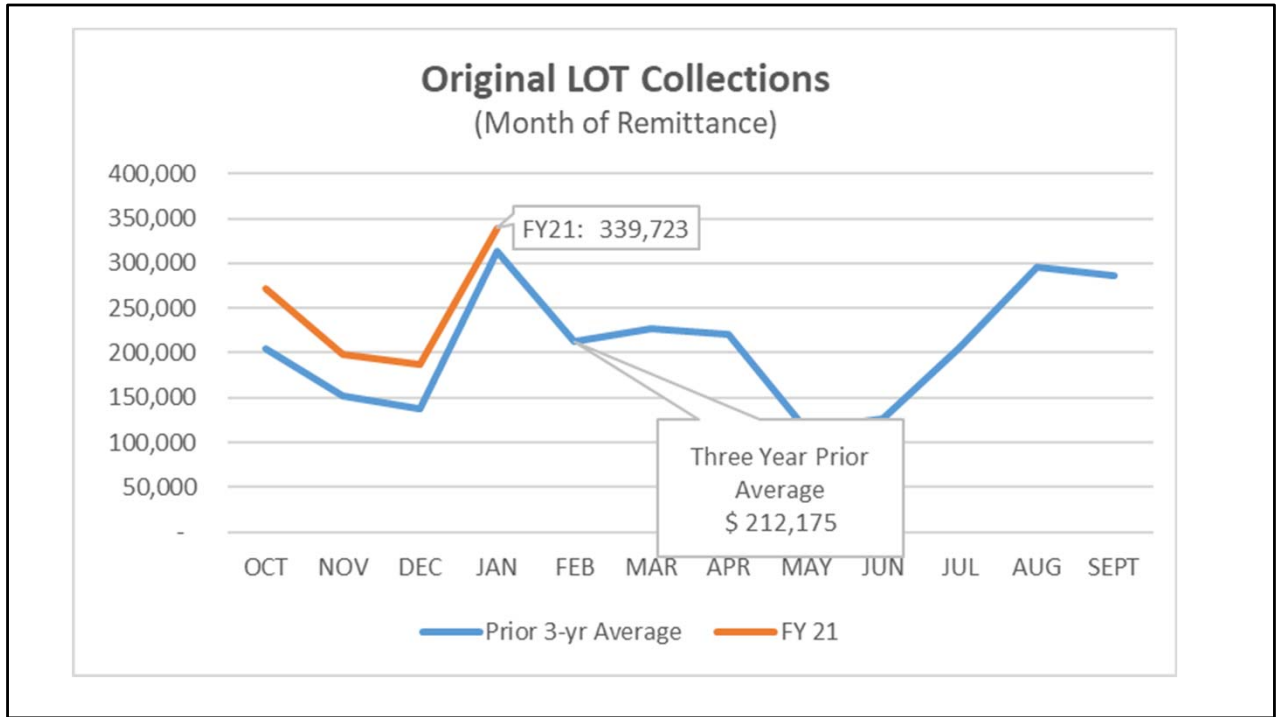
LOT Analysis



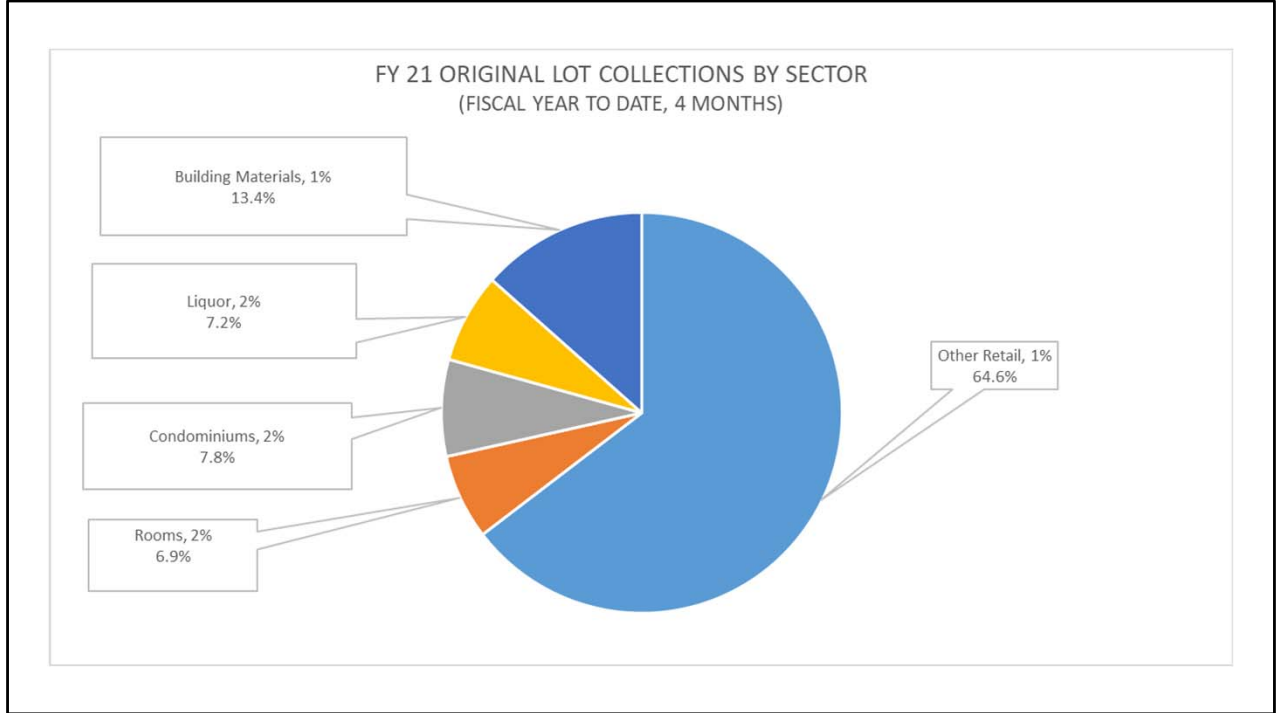
Revenue to the Original LOT Fund is up approximately \$80,488 (8.6%) FYTD. This increase is largely due to retail, condo and liquor receipts.



Original LOT for the December month of sale is down approximately 3% compared to last year and up approximately 2% compared to the prior three-year average.

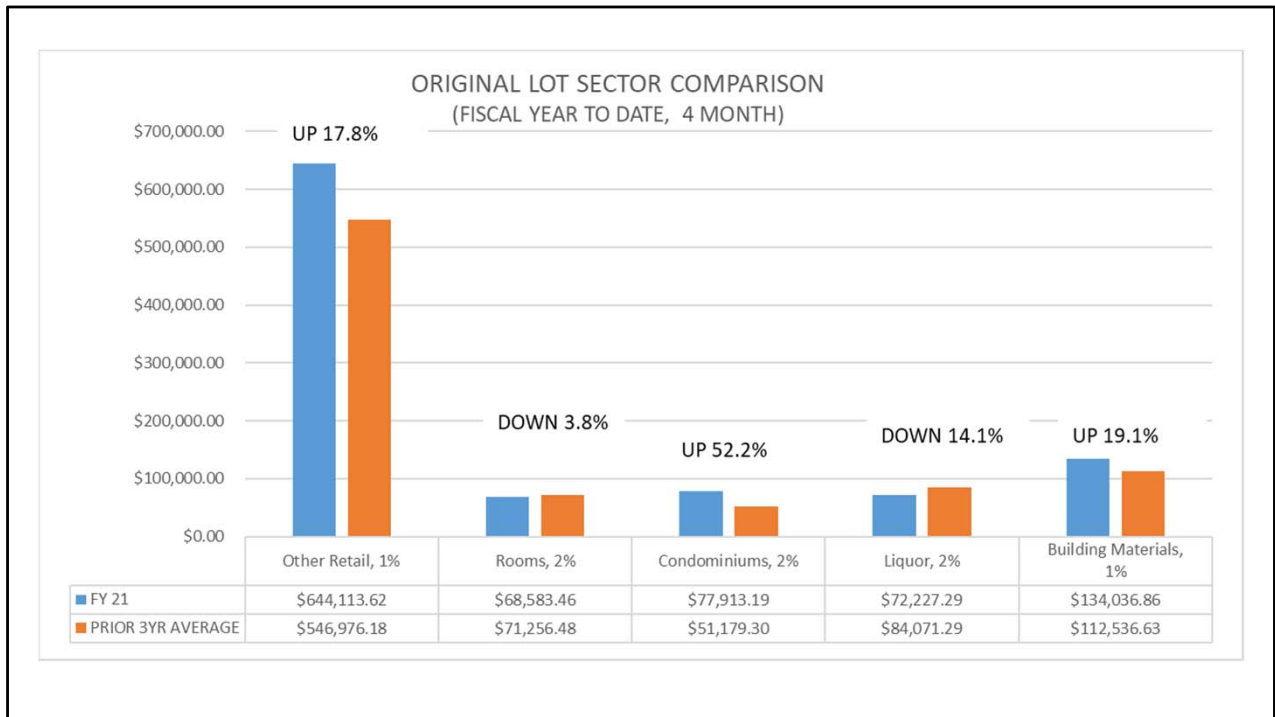


Revenues from Original LOT covered sales are up approximately 8.4% compared to the average of the prior three years.



To date in FY 21 (3 months), Original LOT collections have been generated by each sector as follows:

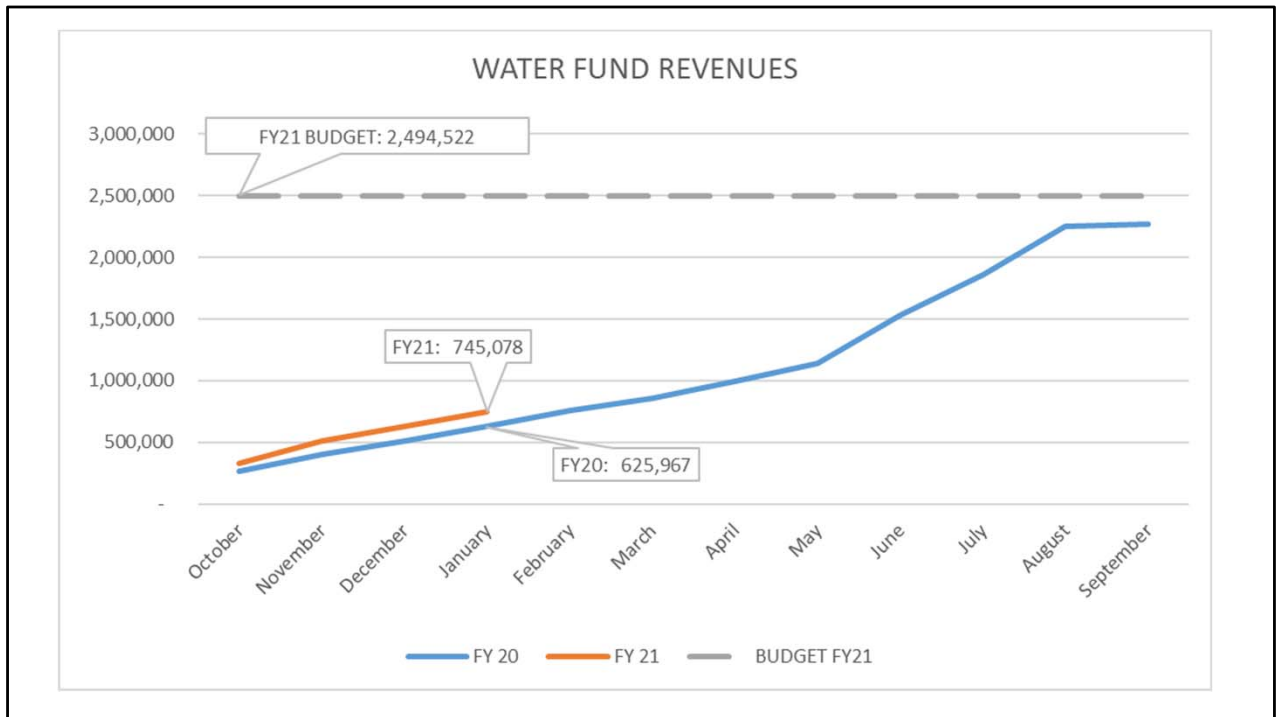
1. Retail has generated 64.6% of the total.
2. Building Materials have generated 13.4%.
3. Liquor has generated 7.2%
4. Rooms have generated 6.9%.
5. Condominiums have generated 7.8%.



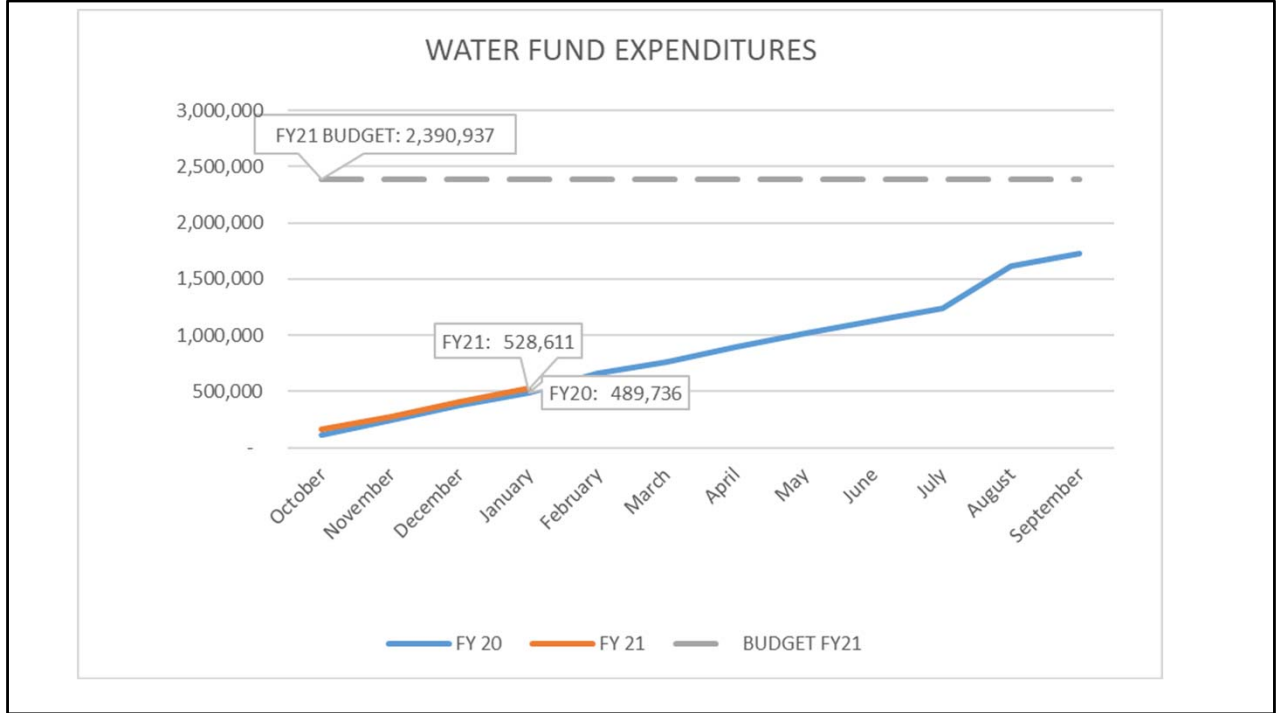
Through the first 4 months of FY 21, collections compared to the prior three-year average are as follows:

1. Retail is up 17.8%.
2. Rooms are down 3.8%.
3. Condominiums are up 52.2%
4. Liquor is down 14.1%.
5. Building Materials are up 19.1%.

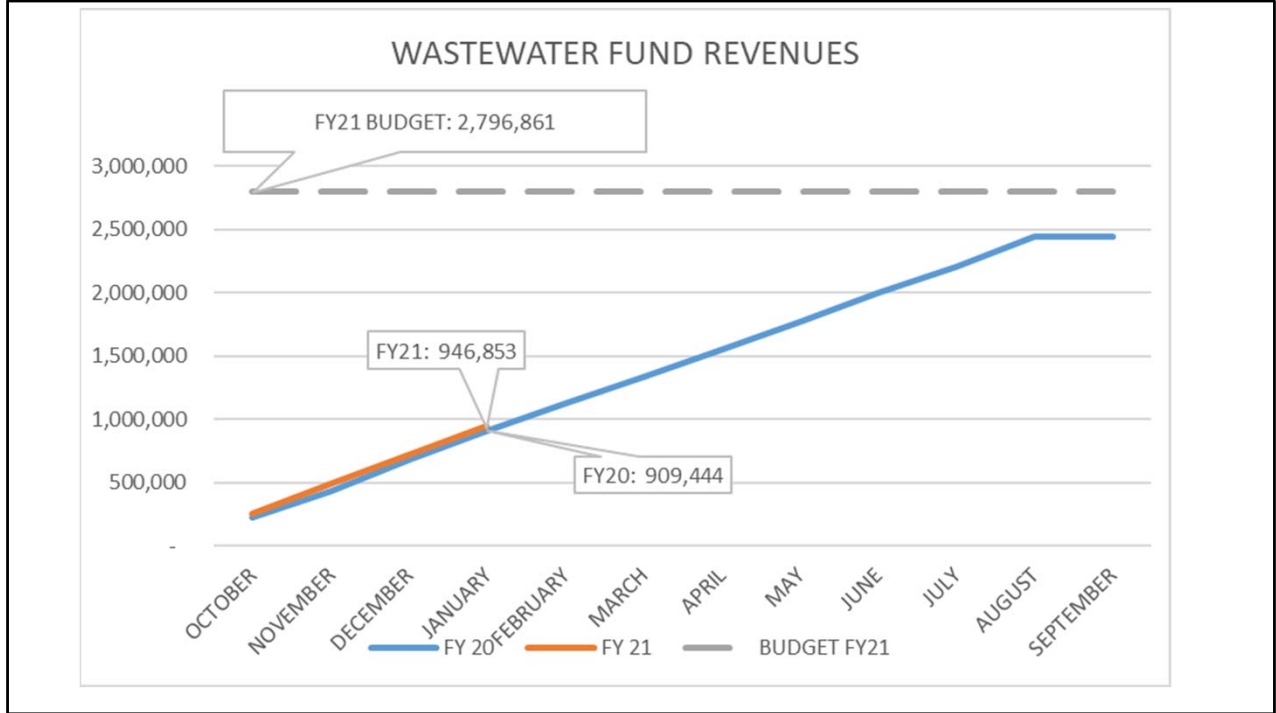
Enterprise Funds



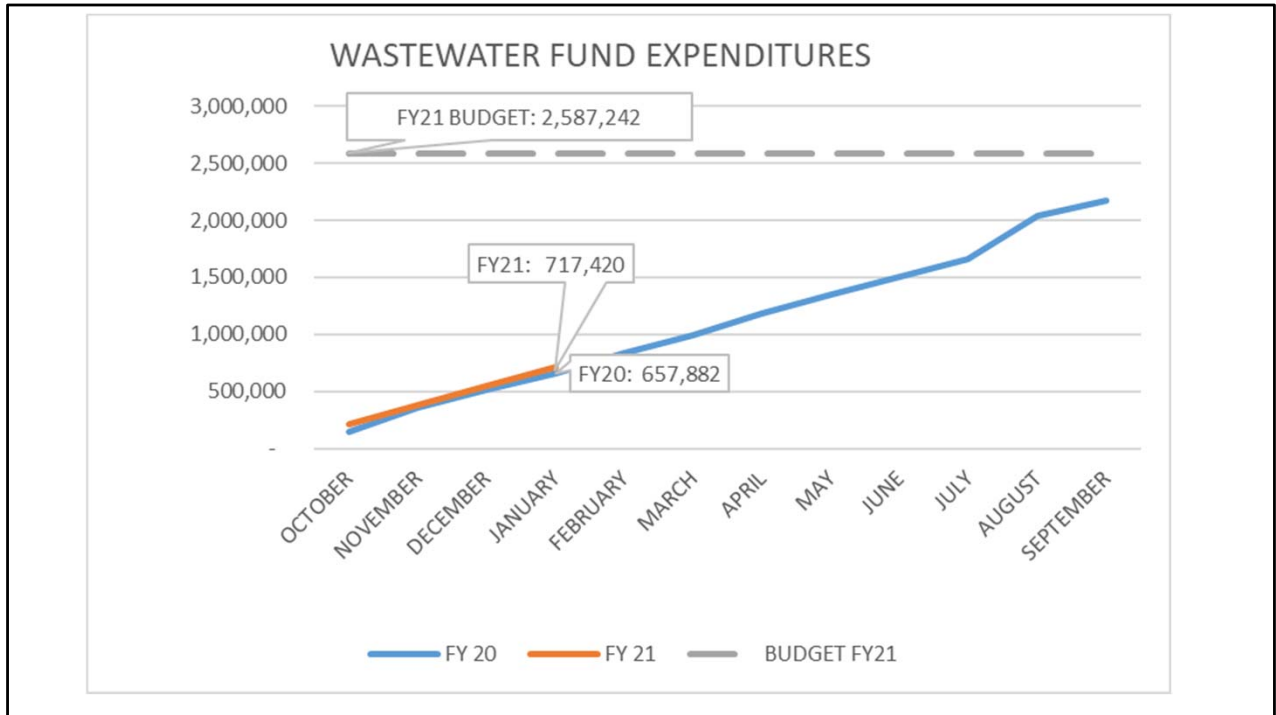
The Water Fund revenues are up \$119,111 (19.0%) FYTD due to increased charges for service.



The Water Fund expenditures are up \$38,875 (7.9%) FYTD. This increase is largely due to transfers to the capital improvement fund.

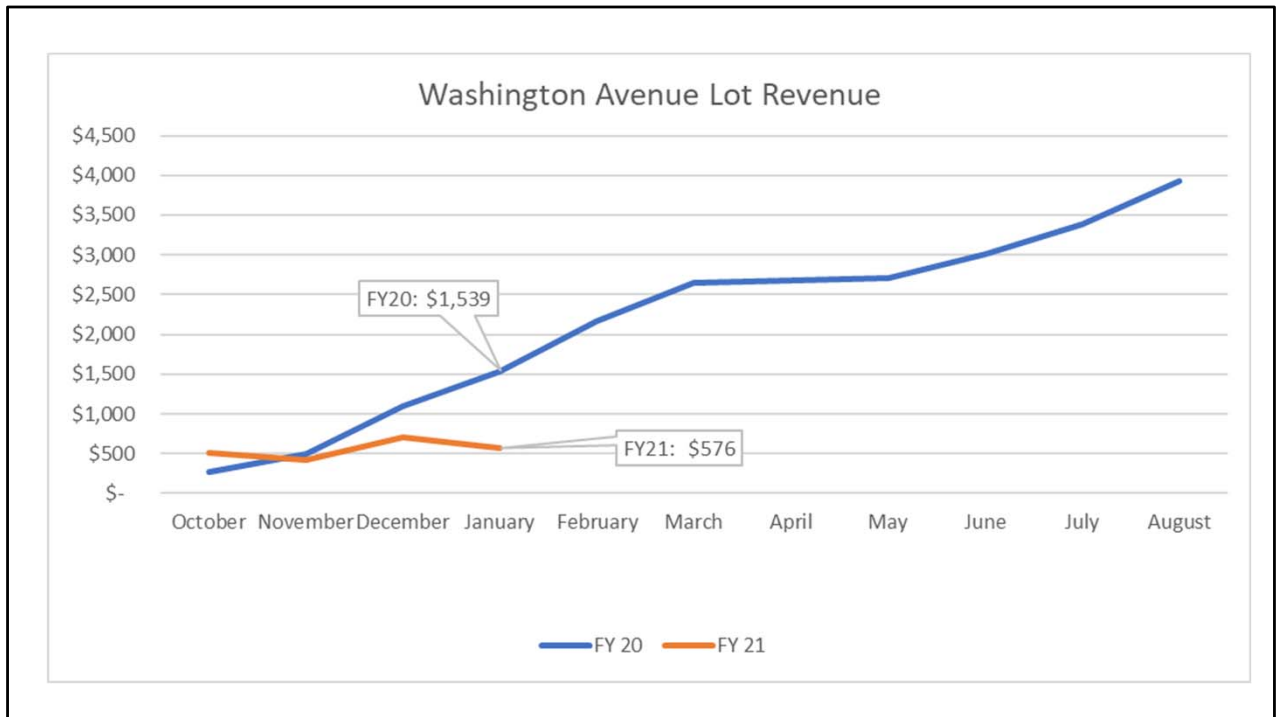


The Wastewater Fund revenues are up \$37,409 (4.1%) FYTD.

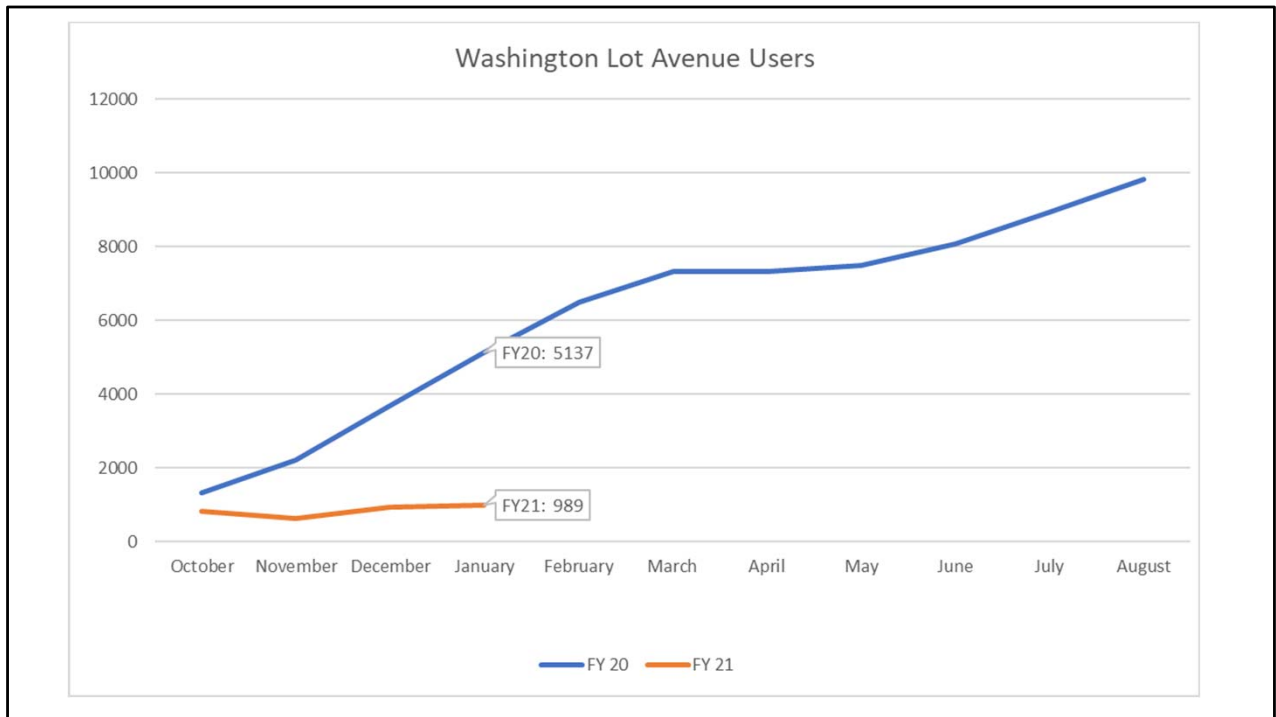


The Wastewater Fund expenditures are up \$59,538 (9%) FYTD. This increase is largely due to professional services utilization.

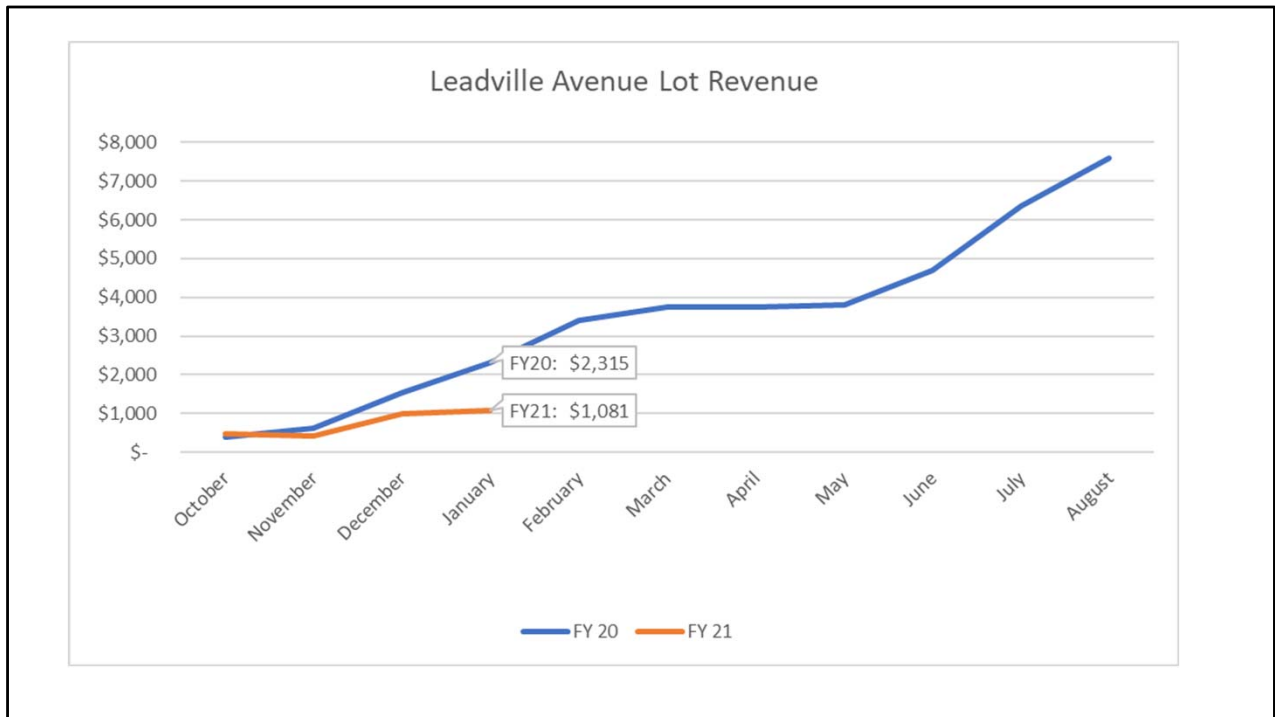
Off-Street Parking Lots



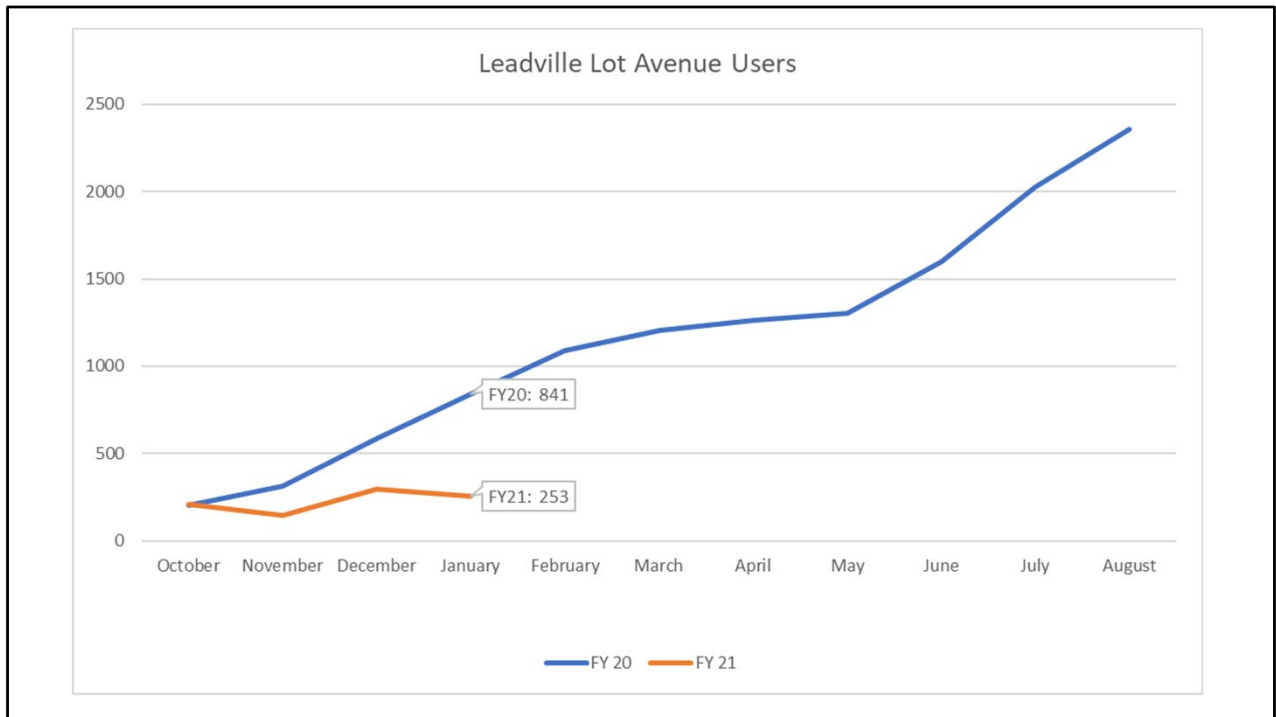
In the fiscal year to date, revenues at the Washington Avenue parking lot are down \$963 (62.6%) relative to the prior year.



In the fiscal year to date, the number of transactions registered at the Washington Avenue parking lot is down 4,148 (80.7%) relative to the prior year.



In the fiscal year to date, revenues at the Leadville Avenue parking lot are down \$1,234 (53%) relative to the prior year.



In the fiscal year to date, the number of transactions registered at the Leadville Avenue parking lot is down 588 (69.9%) relative to the prior year.



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to approve Right-of-Way Encroachment Agreement 20563 with CenturyLink for placement of telecommunications infrastructure in the City Right-of-Way

Recommendation and Summary

Staff is recommending the Council approve the attached Encroachment Agreement and adopt the following motion:

"I move to authorize the Mayor to sign Encroachment Agreement 20563 with CenturyLink."

The reasons for the recommendation are as follows:

- The encroachment is necessary to upgrade telecommunication services to 491 Main Street.
- The encroachment will have no impact on pedestrian or public access.

Introduction and History

CenturyLink would like to install approximately 235 feet of new underground fiber optic cable in conduit and 2 at grade vaults (handholes) within the City's road and alley right-of-way beginning at 500 N. Washington Avenue and terminating in the alley behind 491 Main Street.

City code requires a right-of-way encroachment agreement for encroachments in the public right-of-way. These agreements are intended to help protect the City in the event the proposed encroachments were to ever pose an issue requiring repair or relocation.

Analysis

Staff has reviewed the layout of the proposed telecommunications infrastructure and determined it will not impact public access or maintenance operations at this time.

Financial Impact

There is no financial impact resulting from approval of this encroachment agreement.

Attachments:

Encroachment Agreement 20563

WHEN RECORDED, PLEASE RETURN TO:

**OFFICE OF THE CITY CLERK
CITY OF KETCHUM
POST OFFICE BOX 2315
KETCHUM, IDAHO 83340**

RIGHT-OF-WAY ENCROACHMENT AGREEMENT 20563

THIS AGREEMENT, made and entered into this ____ day of ____, 2021, by and between the CITY OF KETCHUM, IDAHO, a municipal corporation ("Ketchum"), whose address is Post Office Box 2315, Ketchum, Idaho and _____, representing CENTURYLINK, (collectively referred to as "Owner"), whose address is 216 S Park Ave. W, Twin Falls, ID 83301.

RECITALS

WHEREAS, Owner wishes to permit placement of telecommunications improvements in the right-of-way beginning at 500 N. Washington Avenue and terminating in the alley west of 491 Main Street. These improvements are shown in Exhibit "A" attached hereto and incorporated herein (collectively referred to as the "Improvements"); and,

WHEREAS, Ketchum finds that said Improvements will not impede the use of said public right-of-way at this time subject to the terms and provisions of this Agreement;

WHEREAS, the Owner will restore the sidewalk, street, curb and gutter and any landscaping back to the original condition acceptable to the Streets and Facilities Director;

NOW, THEREFORE, in contemplation of the above stated facts and objectives, it is hereby agreed as follows:

TERMS AND CONDITIONS

1. Ketchum shall permit Owner to install telecommunications infrastructure identified in Exhibit "A" within the public right-of-way beginning at 500 N. Washington Avenue and terminating in the alley west of 491 Main Street until notified by Ketchum to remove the infrastructure at which time Owner shall remove infrastructure at Owner's expense.
2. Owner shall be responsible for the maintenance of said Improvements and shall repair said improvements within 48 hours upon notice from Ketchum that repairs are needed.
3. Owner shall be responsible for restoring the sidewalk, curb and gutter and landscaping that is altered due to the construction and installation of the vault, to the satisfaction of the Director of Streets and Facilities.
4. In consideration of Ketchum allowing Owner to maintain the Improvements in the public right-of-way, Owner agrees to indemnify and hold harmless Ketchum from and against any and all claims of liability for any injury or damage to any person or property arising from the Improvements constructed, installed and maintained in the public right-of-way. Owner shall further indemnify and hold Ketchum harmless from and against any and all claims arising from

any breach or default in the performance of any obligation on Owner's part to be performed under this Agreement, or arising from any negligence of Owner or Owner's agents, contractors or employees and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such action or proceeding brought thereon. In the event any action or proceeding is brought against Ketchum by reason of such claim, Owner, upon notice from Ketchum, shall defend Ketchum at Owner's expense by counsel satisfactory to Ketchum. Owner, as a material part of the consideration to Ketchum, hereby assumes all risk of damages to property or injury to persons in, upon or about the Improvements constructed, installed and maintained in the public right-of-way arising from the construction, installation and maintenance of said Improvements and Owner hereby waives all claims in respect thereof against Ketchum.

5. Ketchum shall not be liable for injury to Owner's business or loss of income therefrom or for damage which may be sustained by the person, goods, wares, merchandise or property of Owner, its tenants, employees, invitees, customers, agents or contractors or any other person in or about the Subject Property caused by or resulting from the Improvements constructed, installed, removed or maintained in the public right-of-way.

6. Owner understands and agrees that by maintaining the Improvements in the public right-of-way pursuant to this Agreement, Owner obtains no claim or interest in said public right-of-way which is adverse to that of Ketchum and that Owner obtains no exclusive right to said public right-of-way nor any other right to use the public right-of-way not specifically described herein.

7. In the event either party hereto retains an attorney to enforce any of the rights, duties and obligations arising out of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party reasonable attorney's fees at the trial and appellate levels and, whether or not litigation is actually instituted.

8. This Agreement shall be governed by, construed, and enforced in accordance with the laws and decisions of the State of Idaho. Venue shall be in the District Court of the fifth Judicial District of the State of Idaho.

9. This Agreement sets forth the entire understanding of the parties hereto, and shall not be changed or terminated orally. It is understood and agreed by the parties hereto that there are no verbal promises or implied promises, agreements, stipulations or other representations of any kind or character pertaining to the Improvements maintained in the public right-of-way other than as set forth in this Agreement.

10. No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of this document.

11. This Agreement shall be recorded with the Blaine County Recorder by Ketchum.

12. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

OWNER:

CITY OF KETCHUM:

By: _____

By: _____
Neil Bradshaw
Its: Mayor

STATE OF _____,)
County of _____,) ss.

On this ____ day of _____, 2021, before me, the undersigned Notary Public in and for said State, personally appeared _____, known to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for _____
Residing at _____
Commission expires _____

STATE OF IDAHO)
County of Blaine) ss.

On this ___ day of _____, 2021, before me, the undersigned Notary Public in and for said State, personally appeared NEIL BRADSHAW, known or identified to me to be the Mayor of the CITY OF KETCHUM, IDAHO, and the person who executed the foregoing instrument on behalf of said municipal corporation and acknowledged to me that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

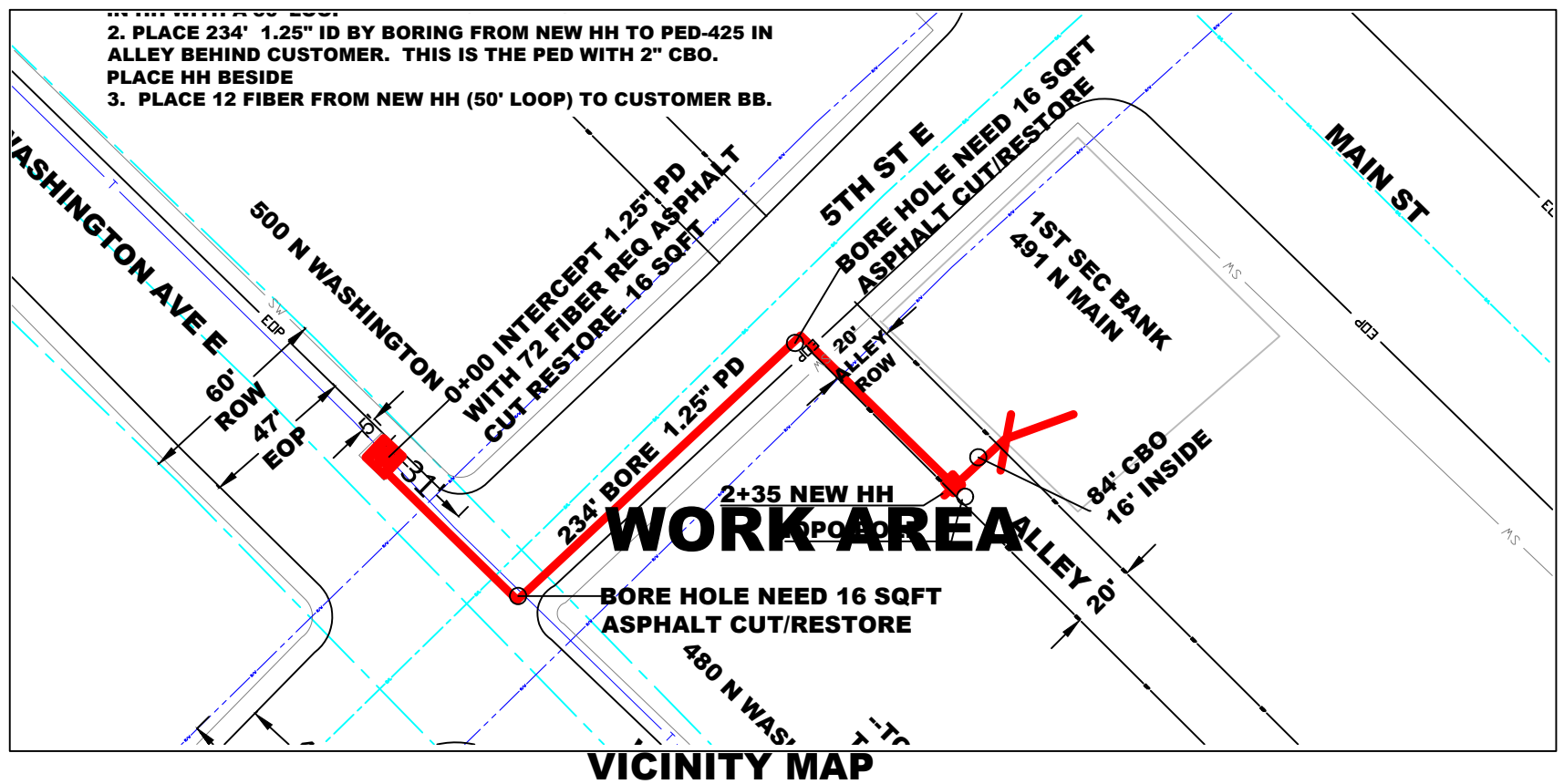
Notary Public for _____
Residing at _____
Commission expires _____

EXHIBIT "A"

LEGEND SHEET

SYMBOLOLOGY

CENTERLINES			BRASS CAP		CATCH BASIN
MONUMENT LINE			STREET SIGN		CULVERT
PROPERTY LINE			TREE		IRRIGATION CONTROL VALVE
RIGHT OF WAY			BUSH		IRRIGATION MANHOLE
PUE			CACTUS		WATER MANHOLE
MATCHLINE			UTILITY CABINET		SEWER MANHOLE
RAILROAD			POWER POLE		STORM DRAIN MANHOLE
CATV LINE			WOOD POWER POLE		GAS MANHOLE
ELECTRIC			PROPOSED ANCHOR		TELCO MANHOLE
OVERHEAD ELECTRIC			TRAFFIC LIGHT POLE		GAS VALVE
OVERHEAD T & E			STREET LIGHT		GAS METER
GAS			STEEL POWER POLE		ELECTRIC METER
PETROLEUM			WOOD TRANSMISSION POLE		ELECTRIC VAULT/PULLBOX
IRRIGATION			STEEL TRANSMISSION POLE		TEL MANHOLE EXISTING
RWCD IRRIGATION PIPE			JUNCTION BOX		TEL MANHOLE NEW
SEWER			UTILITY VAULT/HAND HOLE		TELCO HANDHOLE EXISTING
STORM DRAIN			GROUND TRANSFORMER		TELCO HANDHOLE NEW
TELEPHONE			CATV POWER SUPPLY		4'x4' BOREPIT
JOINT TRENCH TELCO/ELEC			CATV PEDESTAL		SAI EXISTING
AERIAL UTILITY (FIBER OPTIC)			TELCO PEDESTAL		SAI NEW
BURIED UTILITY (FIBER OPTIC)			POWER PED EXISTING		RT EXISTING
ABN TELCO			POWER PED NEW		RT NEW
WATER			WATER METER		TELCO REPEATER NEW
RECLAIMED WATER			WATER VALVE		TELCO REPEATER EXISTING
FENCE			FIRE HYDRANT		COOLEGE NEW
WALL			BACK FLOW PREVENTER		COOLEGE EXISTING
CITY LIMITS			PROPOSED RISER		PROPOSED AERIAL FIBER SLACK LOOP
TRAFFIC SIGNAL			PROPOSED DG TO FOREIGN ANCHOR		TRENCH FTG
STREET LIGHT			TRENCH FTG		BORE FTG
BORE			ASPHALT CUT FTG		SLACK LOOP FTG
ASPHALT CUT & RESTORE					
TRENCH					



CONSTRUCTION NOTES:

- UTILITY LOCATE 72 HOURS PRIOR TO TRENCHING OR DIGGING
- THE EXISTENCE AND LOCATION ON ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PRINTS WERE OBTAINED BY FIELD INSPECTION AND/OR A SEARCH OF AVAILABLE COUNTY RECORDS. THE ACTUAL LOCATION AND NATURE OF THE UNDERGROUND FACILITIES MAY BE DIFFERENT THAN SHOW. CONTRACTOR IS REQUIRE TO VERIFY PRIOR TO EXCAVATION.
- FOR UNDERGROUND ACTIVITY: TEST AND VENTILATE MANHOLE/UTILITY VAULT PRIOR TO ENTRY, PLACE WARNING DEVICES AND WORK ARE PROTECTION AS REQUIRED, AND USE ALL SAFETY PROJECTION PER FEDERAL, STATE, AND LOCAL REGULATIONS.
- ALL EXCAVATION, TRENCHING, AND SHORING IS TO ADHERE TO THE CODE OF ALL EXCAVATION, TRENCHING, AND SHORING IS TO ADHERE TO THE CODE OF CODE OF FEDERAL REGULATIONS (CFR) 1926.650 SUBPART P.
 - PROVIDE ALL PITS WITH 1'x1' SLOPE AT ONE END OF EXCAVATION FOR TECHNICIAN INGRESS/EGRESS.
 - EXCAVATED SPOILS ARE TO BE NO LESS THAN 24" FROM EDGE OF PIT OR FROM EDGE OF PIT OR TRENCH.
 - BARRICADE ALL OPEN PITS AND TRENCHING FOR PUBLIC SAFETY. ALL BARRICADES MUST BE EQUIPPED WITH FLASHING LIGHTS FOR NIGHT VISIBILITY.
 - FOR PITS GREATER THAN 4' IN DEPTH, USE APPROPRIATE SHORING FOR WALL STABILITY.
- TRENCH COVER IS TO BE 36" MINIMUM AND FREE OF ROCKS, DEBRIS AND CLODS. THE TRENCH IS TO BE A MINIMUM OF 36" COVER IN DEVELOPED AREAS AND A MINIMUM OF 48" OF COVER IN UNDEVELOPED AREAS (ANY VARIANCE FROM THESE STANDARDS WILL BE SPECIFIED ON THE PLANS).
- ALL ASPHALT/CONCRETE AND LANDSCAPING REMOVED, DISTURBED, OR DAMAGED AS A RESULT OF CONSTRUCTION SHALL BE RESTORED TO ORIGINAL CONDITION OR BETTER.
- NORMAL/GUIDED-BORING METHOD RECOMMENDED WHEN BORING.
- ADHERE TO AIRTIGHT GUIDELINES UNLESS OTHERWISE NOTED.
- BOND BURIED/AERIAL FACILITIES AS REQUIRED BY JURISDICTIONAL AGENCY(S).
- AERIAL FACILITIES ARE TO BE TESTED PRIOR TO BEGINNING WORK PER STATE AND LOCAL REGULATIONS.
- ALL WORK AREA PROTECTIONS FOR TRAFFIC CONTROL IS TO BE WITH APPROVED WARNING DEVICES AND PLACED PER STATE DEPARTMENT OF TRANSPORTATION AND/OR PUBLIC WORKS ENGINEERING DEPARTMENT STANDARDS AND SPECIFICATIONS. IF REQUIRED, A TRAFFIC CONTROL PLAN SHALL BE SUBMITTED TO THE REQUESTING PERMITTING AGENCY. PRIOR TO BEGINNING WORK, PERMITTING AGENCIES MUST BE NOTIFIED 48 HOURS IN ADVANCE OF CONSTRUCTION ACTIVITIES.
- EXISTING PEDESTRIAN CROSSWALKS AND WALKING AREAS SHALL BE MAINTAINED AT ALL TIMES. AS NECESSARY, TEMPORARY PEDESTRIAN CROSSWALKS AND WALKING AREAS SHALL BE PROVIDED AND MAINTAINED PER STATE DEPARTMENT OF TRANSPORTATION AND/OR PUBLIC WORKS ENGINEERING DEPARTMENT STANDARDS AND SPECIFICATIONS.
- THE FOLLOWING FOOTAGES ARE ESTIMATES. FOOTAGES TO BE VERIFIED PRIOR TO CONSTRUCTION.

RIGHT OF WAY NOTES:

RIGHT OF WAY LINES DEPICTED HAVE BEEN RESEARCHED USING SOME OR ALL OF THE FOLLOWING RESOURCES/METHODS:
 REFERRING TO RECORDED SURVEYS AND COUNTY PARCEL MAP, SEARCHING FOR PROPERTY CORNER PINS, SEARCHING FOR CENTERLINE MONUMENTS, AND GEOGRAPHICAL OBSERVATION (FENCES, UTILITY LOCATIONS, CHANGES IN LANDSCAPING, ETC.)
 DISCLAIMER: ABSOLUTE RIGHT OF WAY LINES LOCATION MUST BE OBTAINED VIA PROFESSIONAL LAND SURVEY (WHEN NECESSARY).

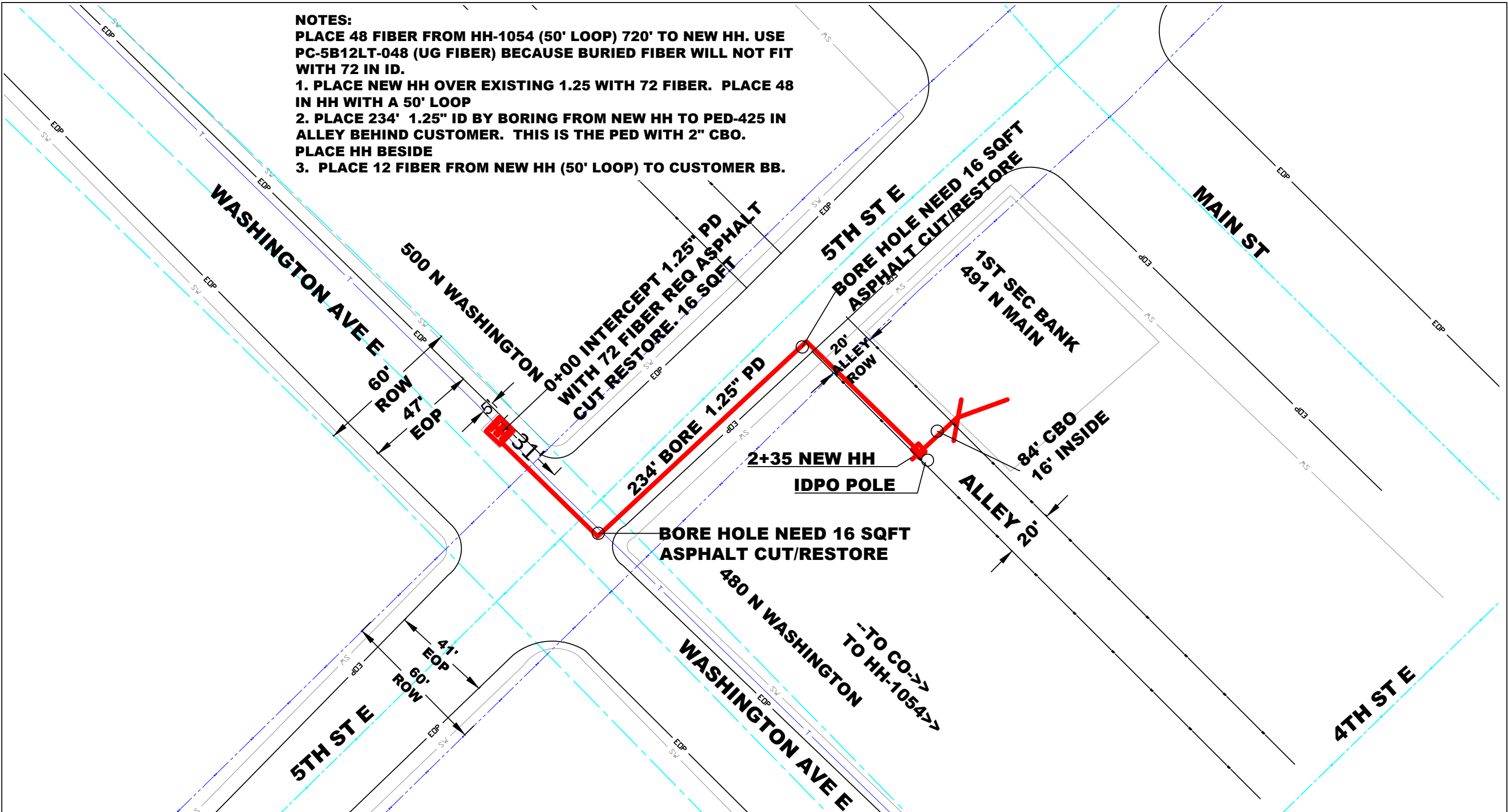
AERIAL CONSTRUCTION NOTES:

- MAINTAIN 40" BELOW LOWEST POWER ATTACHMENTS (TYPICALLY NEUTRAL).
- MAINTAIN 30" BELOW NEUTRAL AT MID SPAN.
- CANNOT USE POWER ANCHORS ON ANY CORNER POLE WITH OVER 6' OF ANGLE.
- MAINTAIN 15'-6" MID-SPAN CLEARANCE TO GRADE/ROAD MINIMUM.
- SIX FOOT SPACING (MINIMUM) BETWEEN PROPOSED CTL ANCHOR AND EXISTING POWER ANCHORS.

KETCHUM CITY PERMIT REQUIRED

GEO: 360231 TAX: 06000 TPR: 210321	SCOPE OF WORK: FIBER ENTRANCE TO CUSTOMER SITE/ FIRST SECURITY BANK, 491 N MAIN, KETCHUM ID, 83340/ CLLI: KTCHID10	REVISIONS			ECD: 10/30/2020	
		DATE	DESCRIPTION			
		1	0			
		#	\$			
		%	~			
FW PROJECT	WFMT PROJECT:	COMMUNITY NAME	ENGINEERING CONTACT	CONTRACT ENGINEER	CONSTRUCTION COORDINATOR	SPlicing COORDINATOR
N.790285	A.2774653	NAME: KETCHUM CITY: KETCHUM	NAME: TENILLE SORENSON PHONE: 208-733-0278	NAME: K HADLEY COMPANY: MTN LTD	NAME: JEFF DUNN PHONE: 208-736-0906	NAME: RICK PERKINS PHONE: 208-736-0906
ISSUE:	1	EXCEPT AS MAY BE OTHERWISE PROVIDED BY CONTRACT, THESE DRAWINGS AND SPECIFICATIONS SHALL REMAIN THE PROPERTY OF CENTURYLINK BEING ISSUED IN STRICT CONFIDENCE AND SHALL NOT BE REPRODUCED, COPIED, OR USED FOR ANY PURPOSE WITHOUT SPECIFIC WRITTEN PERMISSION.				
WC CLLI:	KTCHIDMA	SECTION:	18	DESC: MOE - N17586401 - 491 N MAIN ST		
TOWNSHIP:	4N	EXCH KEY:	208-726	REM KEY:	3324	SHEET: 1 OF 2
RANGE:	18E	SCALE:	NTS	DATE:	9/25/20	

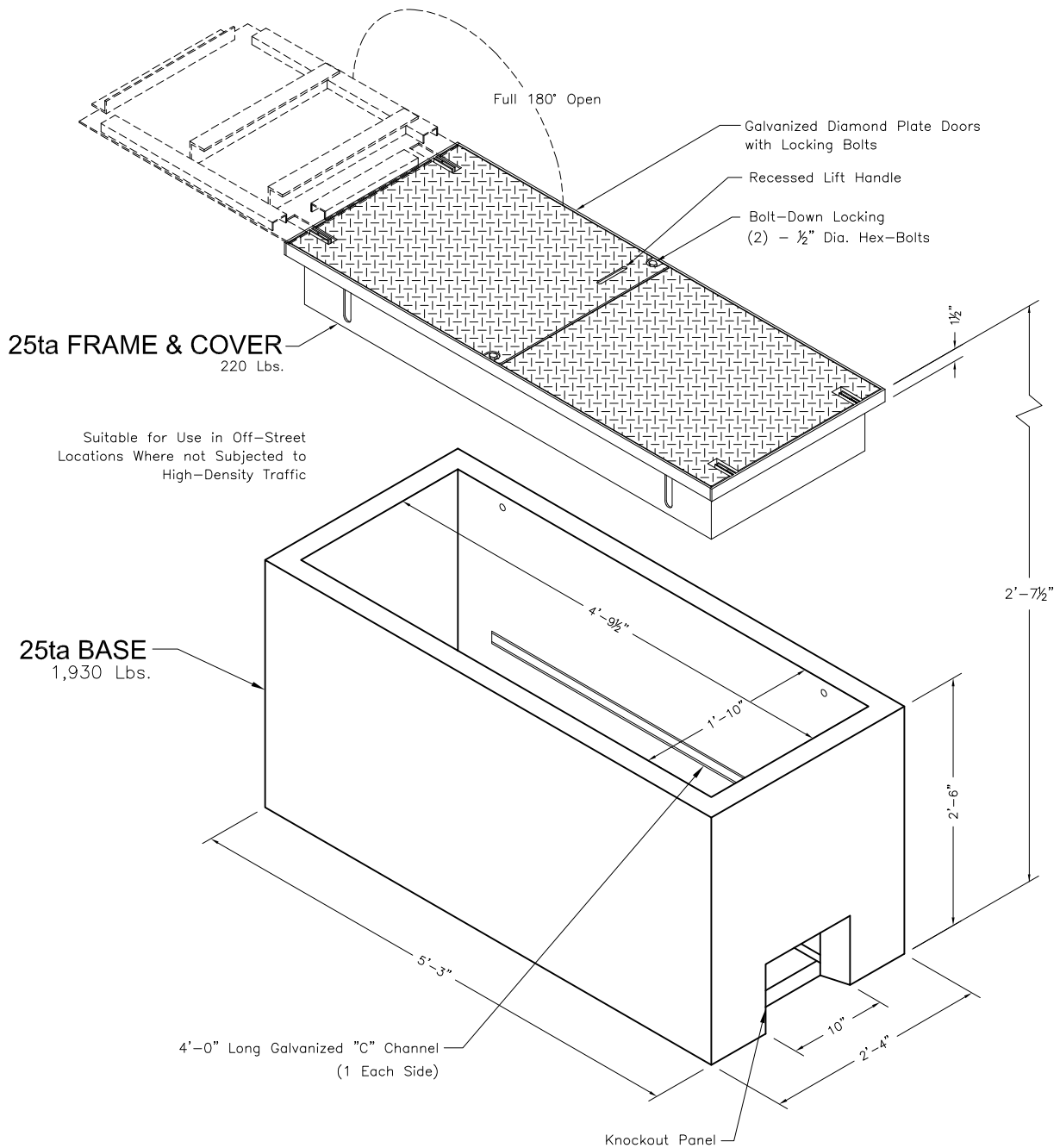
NOTES:
 PLACE 48 FIBER FROM HH-1054 (50' LOOP) 720' TO NEW HH. USE PC-5B12LT-048 (UG FIBER) BECAUSE BURIED FIBER WILL NOT FIT WITH 72 IN ID.
 1. PLACE NEW HH OVER EXISTING 1.25 WITH 72 FIBER. PLACE 48 IN HH WITH A 50' LOOP
 2. PLACE 234' 1.25" ID BY BORING FROM NEW HH TO PED-425 IN ALLEY BEHIND CUSTOMER. THIS IS THE PED WITH 2" CBO. PLACE HH BESIDE
 3. PLACE 12 FIBER FROM NEW HH (50' LOOP) TO CUSTOMER BB.



GEO: 360231 TAX: 06000 TPR: 210321		SCOPE OF WORK: FIBER ENTRANCE TO CUSTOMER SITE/ FIRST SECURITY BANK, 491 N MAIN, KETCHUM ID, 83340/ CLLI: KTCHID10			REVISIONS <table border="1"> <thead> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0</td> </tr> <tr> <td>#</td> <td>\$</td> </tr> <tr> <td>%</td> <td>~</td> </tr> </tbody> </table>		DATE	DESCRIPTION	1	0	#	\$	%	~	ECD: 10/30/2020		
DATE	DESCRIPTION																
1	0																
#	\$																
%	~																
FW PROJECT: N.790285		WFMT PROJECT: A.2774653		COMMUNITY NAME: KETCHUM		ENGINEERING CONTACT: TENILLE SORENSON PHONE: 208-733-0278		CONTRACT ENGINEER: K HADLEY COMPANY: MTN LTD		CONSTRUCTION COORDINATOR: JEFF DUNN PHONE: 208-733-0906		SPlicing COORDINATOR: RICK PERKINS PHONE: 208-733-0906		ISSUE: 1 WC CLLI: HALYIDMA		<small>EXCEPT AS MAY BE OTHERWISE PROVIDED BY CONTRACT, THESE DRAWINGS AND SPECIFICATIONS SHALL REMAIN THE PROPERTY OF CENTURYLINK BEING ISSUED IN STRICT CONFIDENCE AND SHALL NOT BE REPRODUCED, COPIED, OR USED FOR ANY PURPOSE WITHOUT SPECIFIC WRITTEN PERMISSION.</small>	
SECTION: 18		TOWNSHIP: 4N		RANGE: 18E		DESC: MOE - N17586401 - 491 N MAIN ST		EXCH KEY: 208-726		REM KEY: 3324		SCALE: NTS		DATE: 9/28/20		SHEET: 2 OF 2	

**25ta
Pull Box**

25 Ta Pull Box
5'3"x2'4"x2'5"



Oldcastle Precast
801 West 12th Street
Ogden, Utah 84404

Phone: (801) 399-1171
Fax: (801) 392-7849

For more information about our products, please visit
oldcastleprecast.com

oldcastleprecast.com



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to approve Right-of-Way Encroachment Agreement 20581 with Cox Communications for placement of telecommunications infrastructure in the City Right-of-Way

Recommendation and Summary

Staff is recommending the Council approve the attached Encroachment Agreement 20581 and adopt the following motion:

"I move to authorize the Mayor to sign Encroachment Agreement 20581 with Cox Communications."

The reasons for the recommendation are as follows:

- The encroachment is necessary to provide service to 323 Lewis St.
- The encroachment will have no impact on pedestrian or public access

Introduction and History

Cox Communications would like to install approximately 70 ft of new fiber and conduit within the City's right-of-way on Lewis St. to service 323 Lewis St. No above grade structures or pedestals are proposed.

City code requires a right-of-way encroachment permit for any permanent encroachment in the public right-of-way. These agreements are intended to help protect the City in the event the proposed encroachments were to ever pose an issue requiring repair of the encroachment or relocation.

Analysis

Staff has reviewed the layout of the proposed utilities. In consideration of future projects and current operations, the proposed encroachments were determined not to impact public access or maintenance.

Financial Impact

There is no financial impact resulting from approval of this encroachment agreement.

Attachments:

Encroachment Agreement 20581

WHEN RECORDED, PLEASE RETURN TO:

**OFFICE OF THE CITY CLERK
CITY OF KETCHUM
POST OFFICE BOX 2315
KETCHUM, IDAHO 83340**

RIGHT-OF-WAY ENCROACHMENT AGREEMENT 20581

THIS AGREEMENT, made and entered into this ____ day of ____, 2021, by and between the CITY OF KETCHUM, IDAHO, a municipal corporation ("Ketchum"), whose address is Post Office Box 2315, Ketchum, Idaho and _____, representing Cox Communications, (collectively referred to as "Owner"), whose address is 3031 N 120th St., Omaha, NE 68164.

RECITALS

WHEREAS, Owner wishes to permit placement of telecommunications improvements in the right-of-way on Lewis Street. These improvements are shown in Exhibit "A" attached hereto and incorporated herein (collectively referred to as the "Improvements"); and,

WHEREAS, Ketchum finds that said Improvements will not impede the use of said public right-of-way at this time subject to the terms and provisions of this Agreement;

WHEREAS, the Owner will restore the sidewalk, street, curb and gutter and any landscaping back to the original condition acceptable to the Streets and Facilities Director;

NOW, THEREFORE, in contemplation of the above stated facts and objectives, it is hereby agreed as follows:

TERMS AND CONDITIONS

1. Ketchum shall permit Owner to install telecommunications infrastructure identified in Exhibit "A" within the public right of way on Lewis Street, until notified by Ketchum to remove the infrastructure at which time Owner shall remove infrastructure at Owner's expense.

2. Owner shall be responsible for the maintenance of said Improvements and shall repair said improvements within 48 hours upon notice from Ketchum that repairs are needed.

3. Owner shall be responsible for restoring the sidewalk, curb and gutter and landscaping that is altered due to the construction and installation of the vault, to the satisfaction of the Director of Streets and Facilities.

4. In consideration of Ketchum allowing Owner to maintain the Improvements in the public right-of-way, Owner agrees to indemnify and hold harmless Ketchum from and against any and all claims of liability for any injury or damage to any person or property arising from the Improvements constructed, installed and maintained in the public right-of-way. Owner shall further indemnify and hold Ketchum harmless from and against any and all claims arising from any breach or default in the performance of any obligation on Owner's part to be performed

under this Agreement, or arising from any negligence of Owner or Owner's agents, contractors or employees and from and against all costs, attorney's fees, expenses and liabilities incurred in the defense of any such action or proceeding brought thereon. In the event any action or proceeding is brought against Ketchum by reason of such claim, Owner, upon notice from Ketchum, shall defend Ketchum at Owner's expense by counsel satisfactory to Ketchum. Owner, as a material part of the consideration to Ketchum, hereby assumes all risk of damages to property or injury to persons in, upon or about the Improvements constructed, installed and maintained in the public right-of-way arising from the construction, installation and maintenance of said Improvements and Owner hereby waives all claims in respect thereof against Ketchum.

5. Ketchum shall not be liable for injury to Owner's business or loss of income therefrom or for damage which may be sustained by the person, goods, wares, merchandise or property of Owner, its tenants, employees, invitees, customers, agents or contractors or any other person in or about the Subject Property caused by or resulting from the Improvements constructed, installed, removed or maintained in the public right-of-way.

6. Owner understands and agrees that by maintaining the Improvements in the public right-of-way pursuant to this Agreement, Owner obtains no claim or interest in said public right-of-way which is adverse to that of Ketchum and that Owner obtains no exclusive right to said public right-of-way nor any other right to use the public right-of-way not specifically described herein.

7. In the event either party hereto retains an attorney to enforce any of the rights, duties and obligations arising out of this Agreement, the prevailing party shall be entitled to recover from the non-prevailing party reasonable attorney's fees at the trial and appellate levels and, whether or not litigation is actually instituted.

8. This Agreement shall be governed by, construed, and enforced in accordance with the laws and decisions of the State of Idaho. Venue shall be in the District Court of the fifth Judicial District of the State of Idaho.

9. This Agreement sets forth the entire understanding of the parties hereto and shall not be changed or terminated orally. It is understood and agreed by the parties hereto that there are no verbal promises or implied promises, agreements, stipulations or other representations of any kind or character pertaining to the Improvements maintained in the public right-of-way other than as set forth in this Agreement.

10. No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of this document.

11. This Agreement shall be recorded with the Blaine County Recorder by Ketchum.

12. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate, and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

OWNER:

CITY OF KETCHUM:

By: _____

By: _____
Neil Bradshaw
Its: Mayor

STATE OF _____,)
County of _____,) ss.

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared _____, known to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for _____
Residing at _____
Commission expires _____

STATE OF IDAHO)
County of Blaine) ss.

On this ____ day of _____, 2020, before me, the undersigned Notary Public in and for said State, personally appeared NEIL BRADSHAW, known or identified to me to be the Mayor of the CITY OF KETCHUM, IDAHO, and the person who executed the foregoing instrument on behalf of said municipal corporation and acknowledged to me that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

Notary Public for _____
Residing at _____
Commission expires _____

EXHIBIT "A"

COX COMMUNICATIONS

323 LEWIS STREET SERVICE

WINTER 2020/21

CONSTRUCTION NOTES

1. ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE MOST CURRENT EDITION OF THE "IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION" (ISPMC) AND CITY OF KETCHUM STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND KEEPING A COPY OF THE ISPMC AND CITY OF KETCHUM STANDARDS ON SITE DURING CONSTRUCTION.
2. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN ON THE PLANS IN AN APPROXIMATE WAY. A SITE SURVEY OF EXISTING UTILITIES WAS NOT CONDUCTED FOR THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING EXISTING UTILITIES PRIOR TO COMMENCING AND DURING THE CONSTRUCTION. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH RESULT FROM HIS FAILURE TO ACCURATELY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL CALL DIGLINE (1-800-342-1585) TO LOCATE ALL EXISTING UNDERGROUND UTILITIES A MINIMUM OF 48 HOURS IN ADVANCE OF EXCAVATION.
3. CONTRACTOR SHALL COORDINATE DRY UTILITY FACILITIES IMPACTS AND JOINT TRENCH CONSTRUCTION (POWER, CABLE, PHONE, TV) WITH THE APPROPRIATE UTILITY FRANCHISE.
4. THE CONTRACTOR SHALL CLEAN UP THE SITE AFTER CONSTRUCTION SO THAT IT IS IN A CONDITION EQUAL TO OR BETTER THAN THAT WHICH EXISTED PRIOR TO CONSTRUCTION.
5. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION (THIS MAY INCLUDE ENCROACHMENT PERMITS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CONSTRUCTION GENERAL PERMIT (CGP) PERMIT COVERAGE).
6. ALL CLEARING & GRUBBING SHALL CONFORM TO ISPMC SECTION 201.
7. ALL EXCAVATION & EMBANKMENT SHALL CONFORM TO ISPMC SECTION 202. SUBGRADE SHALL BE EXCAVATED AND SHAPED TO LINE, GRADE, AND CROSS-SECTION SHOWN ON THE PLANS. THE SUBGRADE SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY ASTM D-998. THE CONTRACTOR SHALL WATER OR AERATE SUBGRADE AS NECESSARY TO OBTAIN OPTIMUM MOISTURE CONTENT. IN-LIEU OF DENSITY MEASUREMENTS, THE SUBGRADE MAY BE PROOF-ROLLED TO THE APPROVAL OF THE ENGINEER.
8. PROOF-ROLLING: AFTER EXCAVATION TO THE SUBGRADE ELEVATION AND PRIOR TO PLACING COURSE GRAVEL, THE CONTRACTOR SHALL PROOF ROLL THE SUBGRADE WITH A 5-TON SMOOTH DRUM ROLLER, LOADED WATER TRUCK, OR LOADED DUMP TRUCK, AS ACCEPTED BY THE ENGINEER. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF UNSUITABLE SUBGRADE MATERIAL AREAS, AND/OR AREAS NOT CAPABLE OF COMPACTION ACCORDING TO THESE SPECIFICATIONS. UNSUITABLE OR DAMAGED SUBGRADE IS WHEN THE SOIL MOVES, PUMPS AND/OR DISPLACES UNDER ANY TYPE OF PRESSURE INCLUDING FOOT TRAFFIC LOADS.
9. IF, IN THE OPINION OF THE ENGINEER, THE CONTRACTOR'S OPERATIONS RESULT IN DAMAGE TO, OR PROTECTION OF, THE SUBGRADE, THE CONTRACTOR SHALL, AT HIS OWN EXPENSE, REPAIR THE DAMAGED SUBGRADE BY OVER-EXCAVATION OF UNSUITABLE MATERIAL TO FIRM SUBSOIL, LINE EXCAVATION WITH GEOTEXTILE FABRIC, AND BACKFILL WITH PIT RUN GRAVEL.
10. ALL 2" MINUS GRAVEL SHALL CONFORM TO ISPMC 802, TYPE II (ITD STANDARD 703.04, 2"), SHALL BE PLACED IN CONFORMANCE WITH ISPMC SECTION 801 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 90% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99.
11. ALL 3/4" MINUS CRUSHED GRAVEL SHALL CONFORM TO ISPMC 802, TYPE I (ITD STANDARD 703.04, 3/4" B), SHALL BE PLACED IN CONFORMANCE WITH ISPMC SECTION 802 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITD T-91.
12. ALL ASPHALTIC CONCRETE PAVEMENT WORK SHALL CONFORM TO ISPMC SECTION(S) 805, 810, AND 811 FOR CLASS II PAVEMENT. ASPHALT AGGREGATE SHALL BE 1/2" (13MM) NOMINAL SIZE CONFORMING TO TABLE 803B IN ISPMC SECTION 803. ASPHALT BINDER SHALL BE PG 58-28 CONFORMING TO TABLE A-1 IN ISPMC SECTION 805. ASPHALT REPLACEMENT SHALL CONFORM TO CITY OF KETCHUM STANDARD DRAWING NO. 3.
13. ASPHALT SAWCUTS SHALL BE AS INDICATED ON THE DRAWINGS, OR 24" INCHES FROM EDGE OF EXISTING ASPHALT, IF NOT INDICATED OTHERWISE SO AS TO PROVIDE A CLEAN PAVEMENT EDGE FOR MATCHING. NO WHEEL CUTTING SHALL BE ALLOWED.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING TRAFFIC CONTROL PER THE CURRENT EDITION OF THE US DEPARTMENT OF TRANSPORTATION MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
15. ALL CONCRETE WORK SHALL CONFORM TO ISPMC SECTIONS 701, 703, AND 705. ALL CONCRETE SHALL BE 3,000 PSI MINIMUM, 28 DAY, AS DEFINED IN ISPMC SECTION 703, TABLE 1. IMMEDIATELY AFTER PLACEMENT PROTECT CONCRETE BY APPLYING MEMBRANE-FORMING CURING COMPOUND, TYPE 2, CLASS A PER ASTM C 309-94. APPLY CURING COMPOUND PER MANUFACTURER'S INSTRUCTIONS AND SPECIFICATIONS. CONCRETE REPLACEMENT SHALL CONFORM TO CITY OF KETCHUM STANDARD DRAWING NO. 7.
16. ALL TRENCHING SHALL CONFORM TO CITY OF KETCHUM STANDARD DRAWING NO. 12. TRENCHES SHALL BE BACKFILLED AND COMPACTED TO A MINIMUM OF 95% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T-99.
17. PER IDAHO CODE § 55-1613, THE CONTRACTOR SHALL RETAIN AND PROTECT ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS; ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS THAT ARE LOST OR DISTURBED BY CONSTRUCTION SHALL BE REESTABLISHED AND RE-MONUMENTED, AT THE EXPENSE OF THE AGENCY OR PERSON CAUSING THEIR LOSS OR DISTURBANCE AT THEIR ORIGINAL LOCATION OR BY SETTING OF A WITNESS CORNER OR REFERENCE POINT OR A REPLACEMENT BENCHMARK OR CONTROL POINT, BY OR UNDER THE DIRECTION OF A PROFESSIONAL LAND SURVEYOR.
18. ALL REPAIRS MUST MATCH EXISTING LINES, GRADES, AND DRAINAGE PATTERNS. REPAIR AND REPLACE IN KIND ALL EXISTING FEATURE OR IMPROVEMENTS DAMAGED DURING CONSTRUCTION, INCLUDING LANDSCAPE AND IRRIGATION. ALL REPAIRS SHALL RESULT IN EQUAL OR BETTER QUALITY.
19. RESTRICT ALL CONSTRUCTION ACTIVITIES TO WITHIN EXISTING EASEMENTS AND RIGHT-OF-WAY.
20. CONTRACTOR SHALL COMPLETE A CONSTRUCTION MANAGEMENT PLAN CONSISTENT WITH CITY OF KETCHUM STANDARDS.

GENERAL NOTES

1. THE PURPOSE OF THIS PLAN SET IS TO PROVIDE REPAIR DETAILS FOR DISTURBANCES ASSOCIATED WITH THE PROPOSED EXTENTS OF THE NEW BORED COX COMMUNICATIONS LINE WITHIN THE PUBLIC RIGHT-OF-WAY. THE ALIGNMENT AND VAULTED LOCATIONS SHOWN HEREON ARE PER A MAP BY COX COMMUNICATIONS RECEIVED DECEMBER 03, 2020. GALENA ENGINEERING HAS NOT ENGINEERED THE COMMUNICATIONS LINE ALIGNMENT, VAULTED LOCATIONS, OR VAULTED DETAILS.
2. RIGHT-OF-WAY INFORMATION SHOWN HEREON IS APPROXIMATE PER BLAINE COUNTY GIS.
3. SUB-SURFACE UTILITY LOCATIONS ARE APPROXIMATE AND ARE BASED UPON CITY OF KETCHUM MAPS AND IDAHO POWER UTILITY LOCATION MAPS.
4. GALENA ENGINEERING INC. HAS NOT RECEIVED A TITLE POLICY FROM THE CLIENT AND HAS NOT BEEN REQUESTED TO OBTAIN ONE. RELEVANT INFORMATION THAT MAY BE CONTAINED WITHIN A TITLE POLICY MAY THEREFORE NOT APPEAR ON THIS MAP AND MAY AFFECT ITEMS SHOWN HEREON. IT IS THE RESPONSIBILITY OF THE CLIENT TO DETERMINE THE SIGNIFICANCE OF THE TITLE POLICY INFORMATION AND DETERMINE WHETHER IT SHOULD BE INCLUDED. IF THE CLIENT DESIRES FOR THE INFORMATION TO BE INCLUDED THEY MUST FURNISH SAID INFORMATION TO GALENA ENGINEERING, INC. AND REQUEST IT BE ADDED TO THIS MAP.
5. TEMPERATURES FOR PAVING AND PATCH BACK MUST BE 40 DEGREES AND RISING.
6. IF THERE IS A MATERIAL CHANGE FROM APPROVED DRAWINGS, COX COMMUNICATIONS SHALL PROVIDE AS-BUILT DRAWINGS TO CITY WHEN COMPLETED FOR CITY RECORDS.
7. CONSTRUCTION REQUIRED TO MEET APPLICABLE CITY OF KETCHUM'S CONSTRUCTION ACTIVITY STANDARDS INCLUDING:
 - PUBLIC NOTICING
 - DUST, MUD, SAND, AND GRAVEL CONTROL ON ALL STREETS
 - TEMPORARY RESTROOMS
 - THE SITE SHALL BE KEPT IN A CLEAN AND ORDERLY CONDITION
 - TRASH SHALL BE PICKED UP ON THE SITE AND SURROUNDING AREAS ON A DAILY BASIS, AND MATERIALS SHALL BE STORED IN NEAT TIDY PILES.
8. STAGING LOCATION MUST BE COORDINATED WITH THE CITY OF KETCHUM.
9. CONSTRUCTION HOURS ARE BETWEEN 7:30 AM TO 7:00 PM ON WEEKDAYS AND SATURDAYS, NO CONSTRUCTION IS PERMITTED ON SUNDAYS OR MAJOR HOLIDAYS.

CITY OF KETCHUM- WATER DEPARTMENT NOTE

NO LESS THAN 6 FT OF SEPARATION FROM ALL UTILITY INFRASTRUCTURE, BOTH WATER AND SEWER, IS REQUIRED. 6 FT IS THE DISTANCE REQUIRED FOR BANK LAYBACK NEAR ANY LINES. CONTRACTOR SHALL CONFIRM SEPARATIONS.

CITY OF KETCHUM- STREET DEPARTMENT NOTES

1. MAY 1ST STARTING DATE IS WEATHER DEPENDENT.
2. DIG PERMIT IS REQUIRED WHICH WILL REQUIRE DETAILED TRAFFIC CONTROL PLAN.
3. SIZE OF PROJECT REQUIRES INCREASED BOND AMOUNT (TO BE DETERMINED). PLEASE PROVIDE A COST ESTIMATE OF STREET REPAIRS REQUIRED FOR PROJECT.
4. PUBLIC NOTICE ANNOUNCEMENT IN MOUNTAIN EXPRESS AS WELL AS DOOR KNOCKERS TO THOSE IMPACTED ARE REQUIRED AT LEAST THREE DAYS IN ADVANCE.
5. CONTRACTOR NEEDS TO BE ON JOB DAILY UNTIL COMPLETE (WEEKENDS AND HOLIDAYS EXCLUDED).
6. FLAGGERS WILL BE REQUIRED AT RESIDENTIAL AND BUSINESS ENTRANCES AS NEEDED. THIS WILL NEED TO BE ADDRESSED ON DETAILED TRAFFIC CONTROL PLAN.
7. KEEP ONE LANE OPEN ALWAYS UNLESS FULL CLOSURE IS NECESSARY (ACCESS FOR RESIDENTIAL AND BUSINESSES MUST BE MAINTAINED).
8. KEEP TRENCHING CUTS STRAIGHT AND NEAT.
9. ALL ASPHALT CUTS TO BE SAWCUT AND TWO FEET BACK FROM THE DEEPEST UNDERMINE.
10. CONTRACTOR WILL NOT TRENCH MORE THAN CAN BE SLURRIED AND BACKFILLED PER DAY.
11. NO HOLES OPEN OVERNIGHT MORE THAN ONE FOOT DEEP (UNLESS PLATED OR BARRICADED PER THE MUTCD).
12. CONSTRUCTION IS REQUIRED TO KEEP STREETS CLEAN FROM ROCKS, DIRT, MUD, ETC. DAILY (SWEEP).
13. STREET DEPARTMENT MUST BE CALLED FOR INSPECTION BEFORE BACK FILL, SLURRY, AND ASPHALT.
14. KEEP ASPHALT CUT JOINTS OUT OF WHEEL LANES IF POSSIBLE.



VICINITY MAP

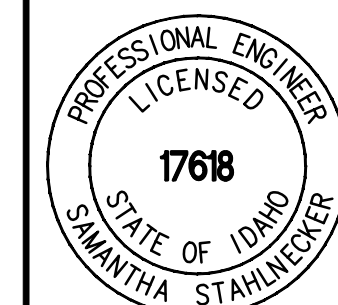
SCALE: 1"=500'

REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any project or extensions of this Project except by agreement in writing with Galena Engineering, Inc.

COVER SHEET
COX COMMUNICATIONS: 323 LEWIS STREET SERVICE
LOCATED WITHIN SECTION 12, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
PREPARED FOR COX COMMUNICATIONS

PROJECT INFORMATION
Project No: 17618-02-2020-01
Construction No: 17618-02-2020-01
Cox Plans: 323 Lewis St.dwg
12/15/2020 3:08:32 PM

ORIGINAL SIGNED BY
SAMANTHA STAHLNECKER
DATE ORIGINAL SIGNED:
12/15/2020



ORIGINAL ON FILE AT
OFFICE OF GALENA
ENGINEERING
(HAILEY, ID)

DESIGNED BY
FRM
DRAWN BY
SKS
CHECKED BY

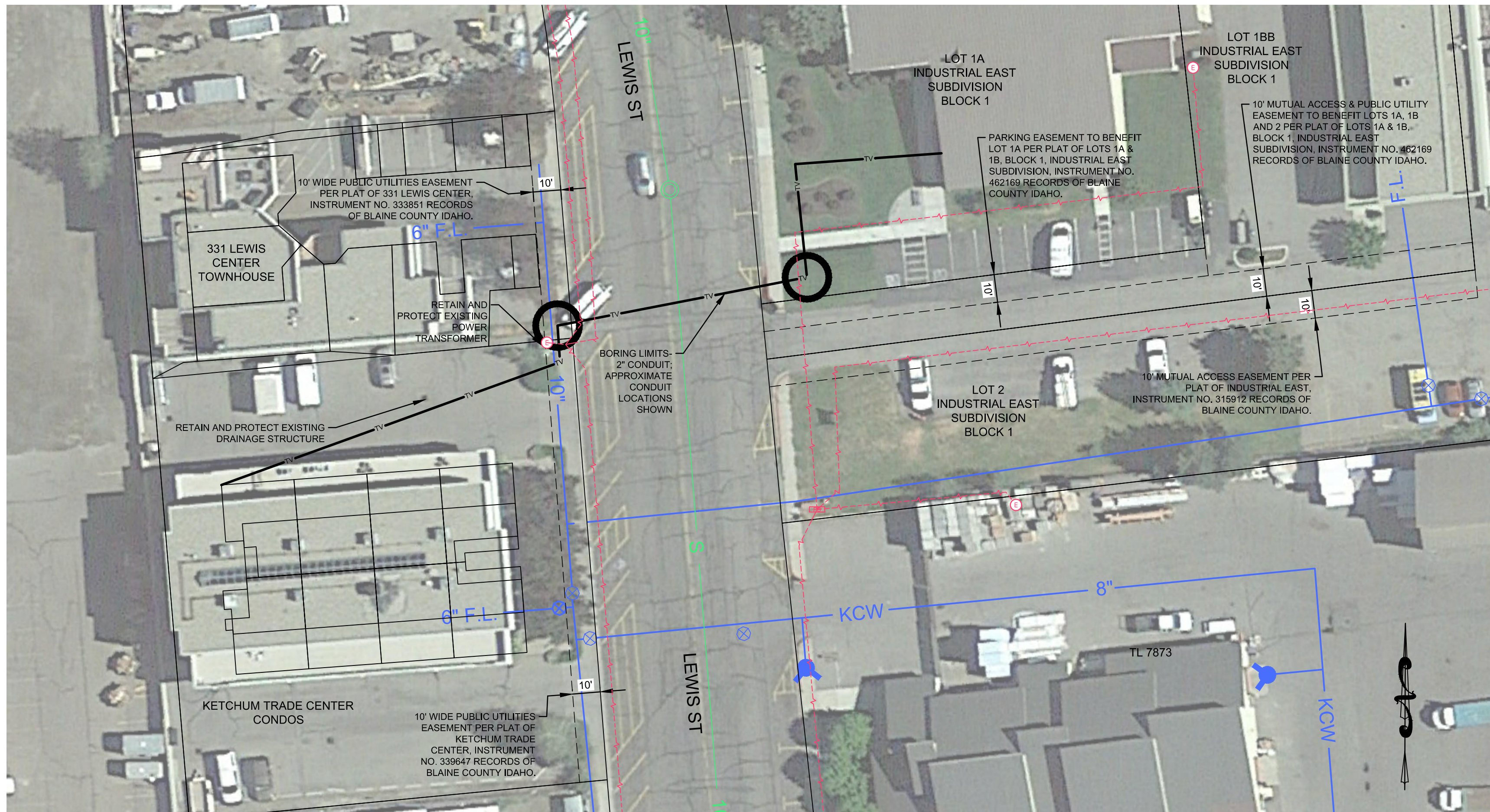
GALENA
ENGINEERING, INC.
Civil Engineers & Land Surveyors
317 N. River Street
Hailey, Idaho 83433
(208) 768-1705
email: galena@galena-engineering.com

PURPOSE: ISSUE FOR AGENCY REVIEW (09/17/20)

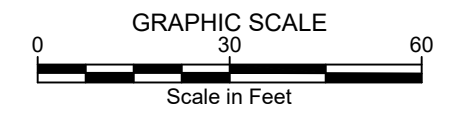
NO. DATE BY REVISIONS

BY

C1.0



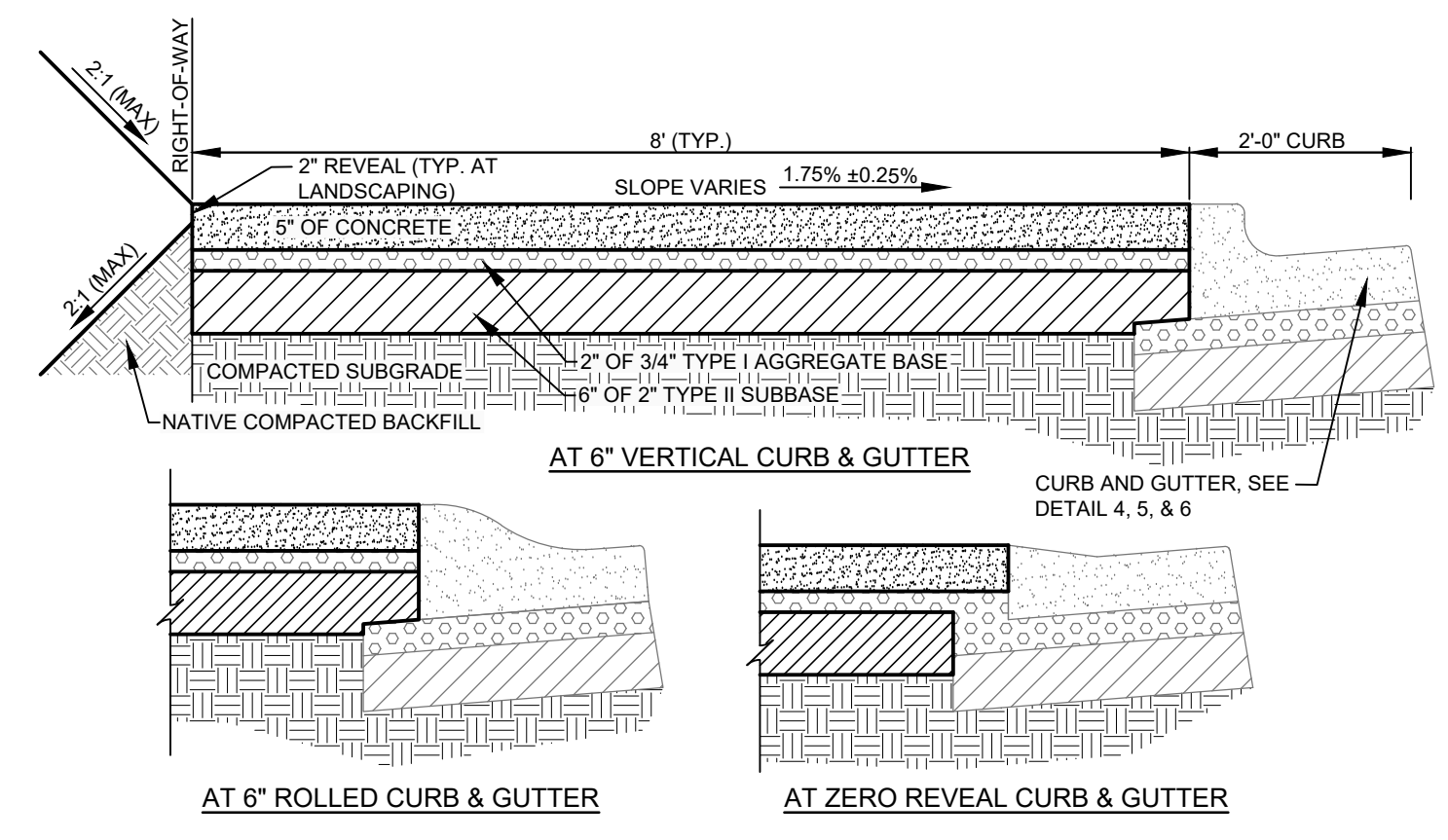
PLAN VIEW: WARM SPRINGS RD ALLEY, 7TH ST AND 8TH ST



- LEGEND**
- PROPERTY LINE PER BLAINE COUNTY GIS
 - - - EASEMENT PER PLAT, TYPE AND WIDTH AS SHOWN
 - - - EXISTING POWER LINE PER IDAHO POWER
 - Ⓚ EXISTING POWER SECTER BOX
 - Ⓣ EXISTING POWER TRANSFORMER
 - KCW EXISTING WATER MAIN
 - Ⓜ EXISTING FIRE HYDRANT
 - ⊗ EXISTING WATER VALVE
 - S EXISTING SEWER MAIN
 - TV PROPOSED COMMUNICATIONS LINE
 - POTENTIAL DISTURBED AREA: MATCH EXISTING LINES, GRADES, AND DRAINAGE PATTERNS

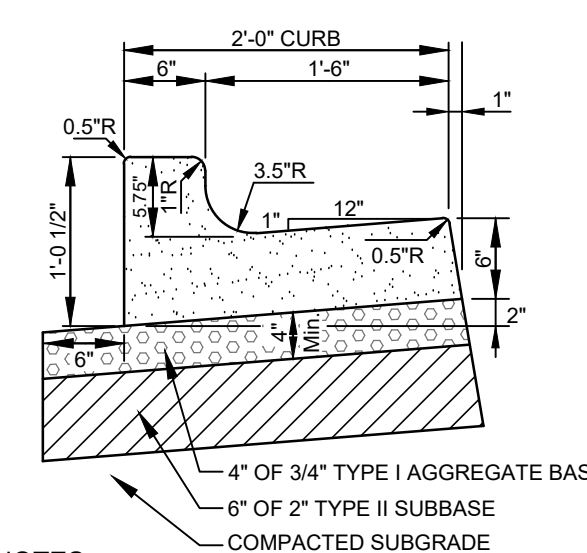
NOTES

1. SEE SHEET C1.0 FOR ADDITIONAL NOTES.
2. AERIAL IMAGERY SHOWN HEREON PER GOOGLE EARTH. AERIAL IMAGERY MAY NOT SHOW CURRENT CONDITIONS.
3. THE PURPOSE OF THIS PLAN SET IS TO PROVIDE REPAIR DETAILS FOR DISTURBANCES ASSOCIATED WITH PROPOSED EXTENTS OF THE NEW BORED COX COMMUNICATIONS LINE. THE ALIGNMENT AND VAULT/PEDESTAL LOCATIONS SHOWN HEREON ARE PER A MAP BY COX COMMUNICATIONS RECEIVED DECEMBER 3, 2020. GALENA ENGINEERING HAS NOT ENGINEERED THE COMMUNICATIONS LINE ALIGNMENT, VAULT/PEDESTAL LOCATIONS, OR VAULT/PEDESTAL DETAILS.
4. SUB-SURFACE UTILITY LOCATIONS ARE APPROXIMATE AND ARE BASED UPON CITY OF KETCHUM MAPS AND IDAHO POWER UTILITY LOCATION MAPS.
5. ALL REPAIRS MUST MATCH EXISTING LINES, GRADES, AND DRAINAGE PATTERNS. DAMAGED LANDSCAPE AND IRRIGATION SHALL BE REPAIRED. ALL REPAIRS SHALL RESULT IN EQUAL OR BETTER QUALITY.



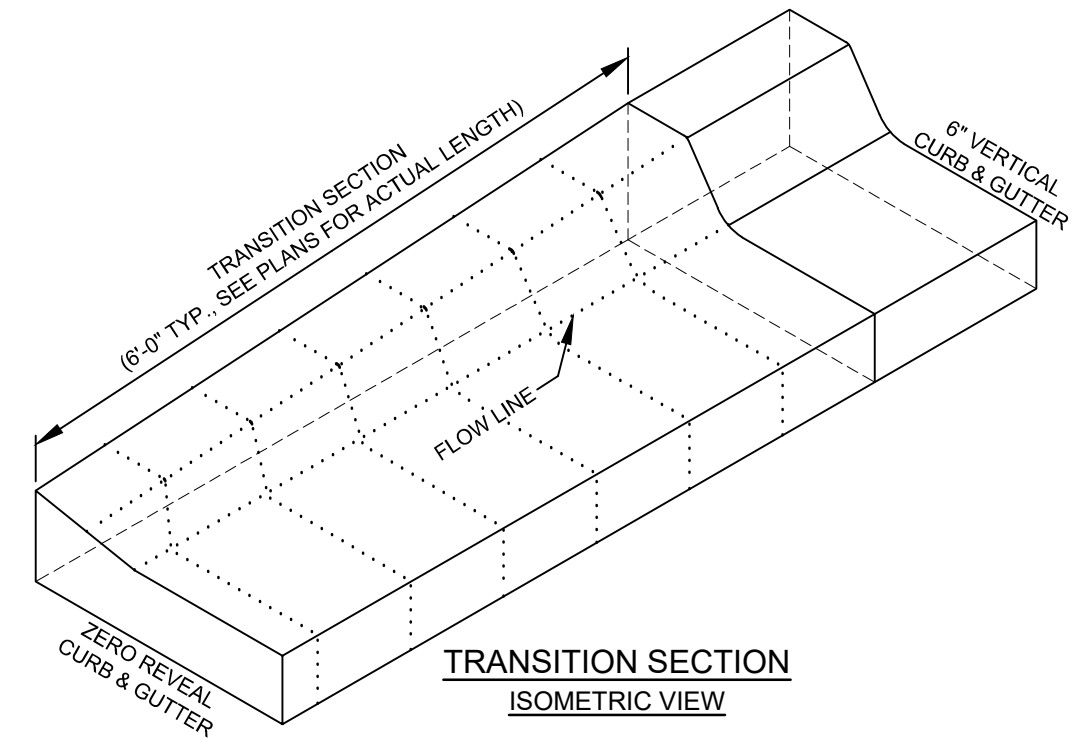
1
C2.0 CONCRETE SIDEWALK WITH CURB AND GUTTER
CITY OF KETCHUM STANDARD DRAWING NO. 7
N.T.S.

- NOTES:**
1. INSTALL SCORE JOINTS AT INTERVALS TO MATCH WIDTH OF WALK NOT TO EXCEED 5 FEET SPACING IN BOTH THE LONGITUDINAL AND TRANSVERSE DIRECTION FOR SIDEWALK GREATER THAN 5 FEET IN WIDTH. INSTALL EXPANSION JOINTS EVERY 10 FEET IN LONGITUDINAL DIRECTION.
 2. 1/2" TRANSVERSE PREFORMED BITUMINOUS JOINTS AT THE TERMINUS POINTS FOR CURVE AND WHERE SIDEWALK IS PLACED BETWEEN TWO PERMANENT FOUNDATIONS OR ADJACENT TO THE STRUCTURE. PLACE 2" EXPANSION JOINT MATERIAL ALONG THE BACK OF WALK THE FULL LENGTH.
 3. SIDEWALK CONSTRUCTION JOINTS SHALL BE CONSTRUCTED APPROXIMATELY 1/2" WIDE, 3/4" IN DEPTH AND FINISHED AND EDGED SMOOTH. A PREFORMED EXPANSION JOINT FILLER SHALL BE PLACED EVERY 40' FOR NEW SIDEWALK CONSTRUCTION.
 4. WHEN TRANSITIONING NEW SIDEWALK TO EXISTING, A MINIMUM 5' TRANSITIONAL PANEL SHALL BE SEPARATED AND ISOLATED WITH EXPANSION MATERIAL.
 5. SIDEWALK ALIGNMENT TRANSITIONS SHALL HAVE A MINIMUM RADIUS OF 30' TO THE FACE OF CURB.
 6. MATERIALS SHALL CONFORM WITH CURRENT ISPCW STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.



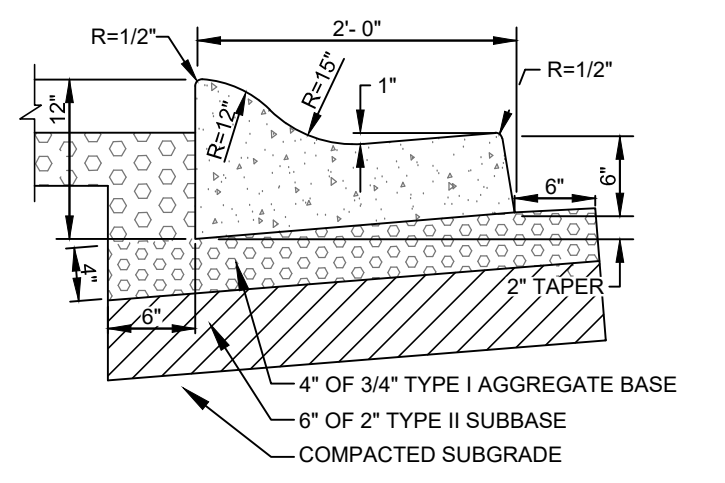
2
C2.0 6" CONCRETE VERTICAL CURB & GUTTER
N.T.S.

- NOTES:**
1. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.
 2. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS TO MATCH SIDEWALK WITH 10-FOOT MAXIMUM SPACING.
 3. MATERIALS SHALL CONFORM WITH CURRENT ISPCW STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.



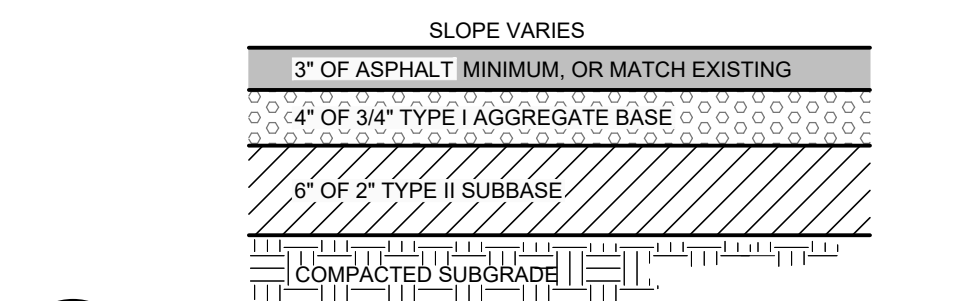
3
C2.0 ZERO REVEAL CURB & GUTTER TYPICAL CURB TRANSITION DETAIL
N.T.S.

- NOTES:**
1. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.
 2. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS TO MATCH SIDEWALK WITH 10-FOOT MAXIMUM SPACING.
 3. MATERIALS SHALL CONFORM WITH CURRENT ISPCW STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.



4
C2.0 6" CONCRETE ROLLED CURB & GUTTER
3" ROLLED CURB NOT PERMITTED
N.T.S.

- NOTES:**
1. 1/2-INCH PREFORMED EXPANSION JOINT MATERIAL (AASHTO M 213) AT TERMINAL POINTS OF RADII.
 2. CONTINUOUS PLACEMENT PREFERRED, SCORE INTERVALS TO MATCH SIDEWALK WITH 10-FOOT MAXIMUM SPACING.
 3. MATERIALS SHALL CONFORM WITH CURRENT ISPCW STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.



5
C2.0 TYPICAL STREET ASPHALT SECTION
CITY OF KETCHUM STANDARD DRAWING NO. 3
N.T.S.

PLAN SHEET
COX COMMUNICATIONS: 323 LEWIS STREET SERVICE
 LOCATED WITHIN SECTION 12, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
 PREPARED FOR COX COMMUNICATIONS
 PROJECT INFORMATION
 PROJECT NO: 1922-02-02-001
 DATE: 12/15/2020
 DRAWN BY: SKS
 CHECKED BY: SKS
 DESIGNED BY: SKS

ORIGINAL SIGNED BY
 SAMANTHA STAHLNECKER
 DATE ORIGINAL SIGNED:
 12/15/2020

 ORIGINAL ON FILE AT
 OFFICE OF GALENA
 ENGINEERING
 (HAILEY, ID)

GALENA
ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 317 N. River Street
 Hailey, Idaho 83433
 (208) 768-1705
 email: galena@galena-engineering.com

PURPOSE: ISSUE FOR AGENCY REVIEW (09/17/20)

NO.	DATE	BY	REVISIONS



City of Ketchum

2/16/2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation and Summary

Staff is recommending the council authorize the purchase order with Banyan Technologies for PLC / SCADA upgrades and adopt the following motion:

I move to recommend the Council authorize the Mayor to sign purchase order #20577 with Banyan Technologies for PLC / SCADA upgrades for our Northwood Well. This purchase order is in an amount not to exceed \$19,570.00

The reasons for the recommendation are as follows:

- Current components are obsolete and no longer supported by the manufacture.
- This is part of our ongoing upgrade and maintenance process.

Introduction and History

The PLC components are the chief operating modules of our SCADA control and monitoring system. These components have outlived their operational life and are no longer supported by the manufacturer.

Analysis

These components have been in place since 1997.

Sustainability

- This purchase will continue to help us operate our system in the most efficient way possible.

Financial Impact

This upgrade is identified in the capitol improvement section of our budget and will be paid for out of the Water Fund.

Respectfully submitted,

Pat Cooley
Water Supervisor

Attachments:

Banyan Technologies cost estimate.
Purchase order #20577

Banyan Technologies Inc.
P.O. Box 5083
Twin Falls, Idaho 83303-5083

Estimate

Date	Estimate #
12/18/2020	KWNW-1217...

Name / Address
Ketchum City Utilities Pat Cooley PO. Box 2315 Ketchum, Idaho 83340

Terms	Project
Net 15	

Description	Qty	Cost	Total
Northwood PLC Upgrade Upgrade existing obsolete Allen Bradley SLC500 Programmable Logic Control (PLC) System to new Allen Bradley Compact Logix 5069 PLC System. Price includes all PLC components, wiring, installation, PLC and SCADA programming, startup and testing.	1	19,570.00	19,570.00
		Subtotal	\$19,570.00
		Sales Tax (6.0%)	\$0.00
		Total	\$19,570.00

Phone #	Fax #	E-mail
2087367363	208-734-8677	BVW@WATER2WIRE.COM



City of Ketchum
City Hall

Purchase Order

Number: #20577
Date: 2/16/2021

Vendor: Banyan Technologies
PO Box 5083
Twin Falls, ID 83303-5083

Quote Ref: 15-719

Quantity	Item # / SKU	Description	Item Cost	Total Cost
		Please see attached estimate		\$19,570.00
			Total	\$19,570.00

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with Grant Gager, Director Finance & Internal Services, at ggager@ketchumidaho.org or (208) 726-3841.

Please Ship Above Listed Items to:

City of Ketchum
Attn: Grant Gager
480 East Avenue N
Box 2315
Ketchum, ID 83340

Order Submitted By:

Neil Bradshaw, Mayor



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Purchase Order 20586 With Thatcher Company, Inc for Aluminum Sulfate

Recommendation and Summary

Staff is recommending the council approve Purchase Order 20586 and adopt the following motion:

“I move to approve Purchase Order 20586 with Thatcher Company, Inc for the purchase of Aluminum Sulfate to be used at the wastewater treatment plant in the approximate amount of \$21,000.00.

The reasons for the recommendation are as follows:

- Aluminum Sulfate is used in the wastewater treatment process to promote coagulation and phosphorous removal.
- Addition of Aluminum Sulfate in the treatment process is necessary to comply with the phosphorous discharge limit required in our discharge permit.

Introduction and History

Phosphorous is one of the constituents in wastewater that needs to be removed for the protection of the environment. Aluminum Sulfate added during the treatment process reacts with phosphorous to create particles which bind together. The particles precipitate out of the wastewater and are removed as a solid. Without the addition of Aluminum Sulfate, the unbound phosphorous would remain suspended in the water and be discharged into the river causing water quality problems.

Sustainability

This purchase is not applicable to the 2020 Ketchum Sustainability Action Plan.

Financial Impact

This is a budgeted expense with funds coming from the Chemicals line item of Wastewater Expenditures. Aluminum Sulfate is delivered by tanker trucks carrying approximately 4,000 gallons per delivery. Each delivery costs about \$5,250.00. This purchase order will be for the next four deliveries and should be sufficient for the rest of this fiscal year.

Attachments:

Purchase Order 20586



City of Ketchum
City Hall

Purchase Order

Number: 20586
Date: February 16, 2021

Vendor: Thatcher Company, Inc.
1908 Fortune Road
Salt Lake City, UT 84104

Quote Ref: February 8, 2021

Quantity	Item # / SKU	Description	Item Cost	Total Cost
1	Lot	Aluminum Sulfate		\$21,000.00
		This is a blanket PO. Product will be ordered and delivered as needed.		
			Total	\$21,000.00

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with expected delivery to Mick Mummert, Wastewater Dept. Supervisor, at mmummert@ketchumidaho.org or (208) 726-7825.

Please Ship Above Listed Items to:

City of Ketchum WWTP
Attn: Mick Mummert
110 River Ranch Rd
Ketchum, ID 83340

Billing Address:

City of Ketchum
P.O. Box 2315
Ketchum, ID 83340

Order Submitted By:

Neil Bradshaw, Mayor



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Staff is recommending the council authorize the mayor to sign purchase order #20582 for a new Sensus 6502 handheld reading device and adopt the following motion.

I make a motion to authorize the Mayor to sign purchase order #20582 for a new Sensus 6502 handheld reading device from Fergusson Waterworks for an amount not to exceed \$8,961.28

The reasons for the recommendation are as follows:

- Our current handheld device is no longer supported by its manufacturer
- The new handheld plays a vital role in reading and programming our meters

Introduction and History

Our current handheld is outdated and has outlived its expected lifespan of 10-12 years. Sensus will no longer support this device if it were to fail. If this crucial piece of equipment were to fail, it would be detrimental in our meter reading process.

Analysis

This new handheld, 6502, has all the required hardware and software needed to ensure that we can effectively read, repair and program meters going forward. We expect this handheld to be supported by Sensus and be in service for us for the next 10+ years.

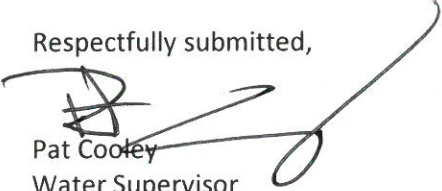
Sustainability

Not Applicable

Financial Impact

Funding for this project is identified in the Capitol Improvement section of our budget and will come from the Water Fund.

Respectfully submitted,


Pat Cooley
Water Supervisor

Attachments:

Fergusson Waterworks quote.
Purchase order #20582

FERGUSON WATERWORKS
534 N. LOCUST GROVE RD
MERIDIAN, IDAHO 83642
FROM: BOB FERLIC
CELL PHONE 208.921.9031
FAX NUMBER 208.855.2869



PROJECT:

City of Ketchum
New Handheld
Water Department
Ketchum, Idaho

DATE: 13-Jul-20

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>WIEGHT</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
	New Handheld No Trade-in			
1 ea	Sensus FL6502-GB Handheld w/Internal GPS	8.0	11,948.37	11,948.37
1 ea	Sensus Charging Stand for FL6502-GB	3.0	958.00	958.00
	New Handheld w/Trade-in of 5502			
1 ea	Sensus FL6502-GB Handheld w/Internal GPS Stand Included	8.0	8,961.28	8,961.28



City of Ketchum
City Hall

Purchase Order

Number: #20582
Date: 2/16/2021

Vendor: Ferguson Water works
534 N. Locust Grove Rd.
Meridian, Idaho 83642

Quote Ref: #20582

Quantity	Item # / SKU	Description	Item Cost	Total Cost
1		Handheld meter reading device		\$8961.28
			Total	\$8961.28

The City of Ketchum is a tax-exempt political subdivision of the State of Idaho.

Please confirm this City of Ketchum Purchase Order with Grant Gager, Director Finance & Internal Services, at ggager@ketchumidaho.org or (208) 726-3841.

Please Ship Above Listed Items to:

City of Ketchum
Attn: Grant Gager
480 East Avenue N
Box 2315
Ketchum, ID 83340

Order Submitted By:

Neil Bradshaw, Mayor



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation To Award Contracts 20587 and 20588 for Streets Department Software

Recommendation and Summary

Staff is recommending the council award contracts for the implementation of asset management software by adopting the following motion:

"I move to approve contracts 20587 and 20588 and authorize the Mayor to sign both, subject to legal review."

The reasons for the recommendation are as follows:

- The City of Ketchum Streets Department is responsible for ensuring a state of good repair for certain city assets including the streets, sidewalks, traffic control systems, and vehicles.
- The City of Ketchum uses a manual system to track the performance of work and condition of assets.

Introduction and History

The City of Ketchum is responsible for maintaining a state of good repair for its assets. The evaluation, monitoring and maintenance of asset condition is critical to ensuring a state of good repair. As the City continues to grow and assets age, the task of maintaining a state of good repair becomes more critical and more difficult. The City has out-grown the manual processes that have historically been used.

Analysis

City staff have been evaluating asset management software opportunities for the last several years. A team of staff from both the Administrative Services and Streets Departments have reviewed several industry applications and determined the iWorqs platform to be most well suited for the City's current needs. The company also offers an initial conditions assessment that the City desires to utilize (Contract 20588). Additionally, there is an opportunity to expand the platform to other departments, as desired.

Pursuant to City purchasing policies and Idaho Code, the procurement of information technology systems is exempt from certain bidding requirements. So, the City engaged iWorqs, it's preferred vendor, to provide a quote for the implementation of the new system.

Sustainability

Managing assets in a state of good repair prolongs their useful life thereby delaying the purchase of new assets and reducing the waste associated with prematurely disposing of assets.

Financial Impact

The technology upgrades will be funded from the technology upgrades account in the General CIP.

Attachments

Attachment A: Contract 20587 and related quote

Attachment B: Contract 20588 and related quote

IWORQ SERVICE AGREEMENT

For iWorQ applications and services

Ketchum here after known as ("Customer"), enters into THIS SERVICE AGREEMENT ("Agreement") with iWorQ Systems Inc. ("iWorQ") with its principal place of business 1125 West 400 North, Suite 102, Logan, Utah 84321.

1. SOFTWARE AS A SERVICE (SaaS) TERMS OF ACCESS:

iWorQ grants Customer a non-exclusive, non-transferable limited access to use iWorQ service(s), application(s) on iWorQ's authorized website for the fee(s) and terms listed in Appendix A. This agreement will govern all application(s) and service(s) listed in the Appendix A.

2. CUSTOMER RESPONSIBILITY:

Customer acknowledges that they are receiving only a limited subscription to use the application(s), service(s), and related documentation, if any, and shall obtain no titles, ownership nor any rights in or to the application(s), service(s), and related documentation, all of which title and rights shall remain with iWorQ. Customer shall not permit any user to reproduce, copy, or reverse engineer any of the application(s), service(s) and related documentation.

iWorQ is not responsible for the content entered into iWorQ's database or uploaded as a document or image. Access to iWorQ cannot be used to record personal or confidential information such as driver license numbers, social security numbers, financial data, credit card information or upload any images or documents considered personal or confidential.

3. TRAINING AND IMPLEMENTATION:

Customer agrees to provide the time, resources, and personnel to implement iWorQ's service(s) and application(s). iWorQ will assign a senior account manager and an account management team to implement service(s) and application(s). Typical implementation will take less than 60 days. iWorQ account managers will call twice per week, provide remote training once per week, and send weekly summary emails to the customer implementation team. iWorQ can provide project management and implementation documents upon request. iWorQ will do ONE import of the Customer's data. This import consists of importing data, sent by the Customer, in an electronic relational database format.

Customer must have clear ownership of all forms, letters, inspections, checklists, and data sent to iWorQ.

Data upload and storage is provided to every Customer. This includes uploading files up to 3MB and 10 GB of managed data storage on AWS GovCloud. Additional upload file sizes and managed data storage sizes can be provided based on the application(s) and service(s) listed in Appendix A.

4. CUSTOMER DATA:

Customer data will be stored on AWS GovCloud. iWorQ will use commercially reasonable efforts to backup, store and manage Customer data. iWorQ does backups twice per week and offsite backups twice per week. The subscription will renew each year on the anniversary date of this Agreement unless terminated (see 7. TERMINATION).

Customer can run reports and export data from iWorQ application(s) at any time.

Customer can pay iWorQ for additional data management service(s), onsite backups, application(s) and other service(s).

Data upload and storage is provided to every Customer. This includes uploading files up to 3MB and 10 GB of managed data storage on AWS GovCloud. Additional upload file sizes and managed data storage sizes can be provided based on the application(s) and service(s) listed in Appendix A.

5. CUSTOMER SUPPORT:

Customer support and training are FREE and available Monday-Friday, from 6:00 A.M. to 5:00 P.M. MST, for any authorized user with a login. iWorQ provides unlimited remote Customer training (through webinars), phone support, help files, and documentation. Basic support request is typically handled the same day. iWorQ provides "Service NOT Software".

6. BILLING:

iWorQ will invoice Customer on an annual basis. iWorQ will send invoice by mail and by email to the address(s) listed in Appendix A. Terms of the invoice are net 30 days. Any billing changes will require that a new Service(s) Agreement be signed by Customer.

Any additional costs imposed by the Customer including business licenses, fees, or taxes will be added to the Customer's invoice yearly.

7. TERMINATION:

Either party may terminate this agreement, after the initial 1-YEAR TERM, without cause if the terminating party gives the other party sixty (60) days written notice. Should Customer terminate any application(s) and or service(s) the remaining balance will immediately become due. Should Customer terminate any part of the application(s) and or service(s) a new Service(s) Agreement will need to be signed.

Upon termination (6. TERMINATION), iWorQ will discontinue all application(s) and or service(s) under this Agreement; iWorQ will provide customer with an electronic copy of all of Customer's data, if requested by the Customer (within 3-5 business days).

During the term of the Agreement, the Customer may request a copy of all of Customer's data for a cost of no more than \$2,500; and all provisions of this Agreement will continue.

8. ACCEPTABLE USE:

Customer represents and warrants that the application(s) and service(s) will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, and policies, terms and procedures. iWorQ may restrict access to users upon misuse of application(s) and service(s).

9. MICELLANEOUS PROVISIONS:

This Agreement will be governed by and construed in accordance with the laws of the State of Utah.

10.CUSTOMER IMPLEMENTATION INFORMATION:

Primary Implementation Contact _____ Title _____

Office Phone _____ Cell _____

Email _____

Secondary Implementation Contact _____ Title _____

Office Phone _____ Cell _____

Email _____

11. CUSTOMER BILLING INFORMATION:

Billing Contact _____ Title _____

Billing Address: _____

Office Phone _____ Cell _____

Email _____

PO# _____ (if required) Tax Exempt ID # _____

12.ACCEPTANCE:

The effective date of this Agreement is listed below. Authorized representative of Customer and iWorQ have read the Agreement and agree and accept all the terms.

Signature _____

Effective Date: _____

Printed Name _____

Title _____

Office Number _____

Cell Number _____

iWorQ Service(s) Agreement

APPENDIX A

iWorQ Price Proposal

Ketchum	Population- 2,680
Ketchum, Ketchum, ID 83340	Prepared by: Dan Phippen

Annual Subscription Fees

<u>Application(s) and Service(s)</u>	<u>Package Price</u>	<u>Billing</u>
<p>Work Management</p> <ul style="list-style-type: none"> - Available on any computer, tablet, or mobile device using Chrome browser - Track and manage work by location with OpenStreetMap - Work order scheduling and templates - Track inventory, parts, material -Configurable dashboard, fields, and reports 	\$3,000	Annual
<p>Drywells - Asset Management</p> <ul style="list-style-type: none"> -Available on any computer, tablet, or mobile device -Track and manage maintenance history -OpenStreetMap with point and line layers -Track conditions and descriptions -Configurable dashboard, fields, and reports 	Included	Annual
<p>Street Light - Asset Management</p> <ul style="list-style-type: none"> -Available on any computer, tablet, or mobile device -Track and manage maintenance history -OpenStreetMap with point and line layers -Track conditions and descriptions -Configurable dashboard, fields, and reports 	Included	Annual
<p>Facilities Management Package</p> <p>Includes:</p> <ul style="list-style-type: none"> *Facilities Asset Management *Work Management <ul style="list-style-type: none"> -Available on any computer, tablet, or mobile device -Track assets such as HVAC, plumbing, electrical, elevators, etc. -Work orders for employee cost, inventory, and purchase orders 	\$1,500	Annual

-Track inventory, parts, material -Maintenance schedules, work order scheduling, and templates -Inventory management -Configurable dashboard, fields, and reports		
Fleet Management -Available on any computer, tablet, or mobile device using Chrome browser -Fuel log tracking and uploads -Work orders for employee cost, inventory, and purchase orders -Manage maintenance schedules -Inventory management -Configurable dashboard, fields, and reports	\$1,500	Annual
Subscription Fee Total (This amount will be invoiced each year)	\$6,000	Annual

One-Time Setup, GIS integration, and Data Conversion Fees

<u>Service(s)</u>	<u>Full Price Cost</u>	<u>Package Price</u>	<u>Billing</u>
Implementation and Setup cost year 1	\$4,000	Included	Year One
Up to 5 hours of GIS integration and data conversion	\$1,000	Included	Year One
Data Conversion (see attached guidelines Appendix B)	\$4,900	Included	Year One
One-Time Setup Total (This amount will be added year 1)	\$9,900	Included	Year One
Grand Total Due Year 1	\$15,900	\$6,000	

NOTES AND SERVICE DESCRIPTION

- I. Invoice for the (Annual Subscription Fee Total + One-Time Total) will be sent out 2 weeks after signature and Effective Date
- II. This subscription Fee and Agreement have been provided at the Customer's request and is valid for 25 days
- III. This cost proposal cannot be disclosed or used to compete with other companies.
- IV. Additional information on the service listed can be found in Appendix B.

PublicWorks1 Agreement For Asset & Data Tracking Services

Ketchum here after knows as (“Customer”), enters into THIS SERVICE (S) AGREEMENT (“Agreement”) with PublicWorks1 Inc. (“PW 1”) with its principal place of business 1125 West 400 North, Suite 102, Logan, Utah 84321.

1. Data Tracking Services

PW 1 will send staff member(s) onsite to track requested street-level imagery, assets, and GPS data points utilizing our Trimble MX7 high resolution camera and / or a pavement condition assessment if requested. The price in Appendix A is based on the mileage provided by the Customer.

2. Customer Responsibility

Customer agrees to provide the time, resources, and personnel to assist in scheduling and completing the onsite assessment, and to implement iWorQ’s service(s) and application(s). iWorQ will assign a senior account manager and an account management team to implement service(s) and application(s). Typical implementation will take less than 60 days. iWorQ account managers will call twice per week, provide remote training once per week, and send weekly summary emails to the implementation team. iWorQ can provide project management and implementation document upon request.

3. Customer Data & Software Terms of Access

Customer acknowledges that an iWorQ Service(s) Agreement is required in conjunction with this agreement for a term of 3 years, and that customer is authorized to access and track the converted PW 1 data in the associated iWorQ software applications.

Customer data will be stored on AWS GovCloud. iWorQ will use commercially reasonable efforts to backup, store and manage Customer data. iWorQ does backups twice per week and offsite backups twice per week. The subscription will renew each year on the anniversary date of this Agreement unless terminated (see 6. TERMINATION).

Customer can run reports and export data from iWorQ application(s) at any time.

Customer can pay iWorQ for additional data management service(s), onsite backups, application(s) and other service(s).

Street Level imagery is provided through iWorQ. Street Level imagery (360 Degree JPG) will not be downloadable through iWorQ. PW1 will make the imagery publicly available.

4. Billing:

PW 1 will invoice Customer after the team has come onsite and completed the data collection and/or assessment. The invoice will be generated and sent 2 weeks after the field work has been completed. PW 1 will send invoice by mail and by email to the address listed in Appendix A. Terms of the invoice are net 30 days. Any billing changes will require that a new Service Agreement be signed by Customer.

Any additional costs imposed by the Customer including business licenses, fees, or taxes will be added to the Customer's invoice yearly.

5. TERMINATION:

Either party may terminate this agreement, after the initial 1-YEAR TERM, without cause if the terminating party gives the other party sixty (60) days written notice. Should Customer terminate any application(s) and or service(s) the remaining balance will immediately become due. Should Customer terminate any part of the application(s) and or service(s) a new Service(s) Agreement will need to be signed.

Termination will discontinue all application(s) and or service(s) under this Agreement; PW1 will provide customer with an electronic copy of all of Customer's data, if requested by the Customer. Backups will be completed within 3-5 business days.

During the term of the Agreement, the Customer may request a copy of all of Customer's data for a cost of no more than \$2500; and all provisions of this Agreement will continue.

6. CUSTOMER SUPPORT:

Customer support and training are FREE and available Monday-Friday, from 6:00 A.M. to 5:00 P.M. MST, for any authorized user with a login. iWorQ provides unlimited remote Customer training (through webinars), phone support, help files, and documentation. Basic support request is typically handled the same day. iWorQ provides "Service NOT Software".

7. ACCEPTABLE USE:

Customer represents and warrants that the applications and services will only be used for lawful purposes, in a manner allowed by law, and in accordance with reasonable operating rules, and policies, terms and procedures. iWorQ may restrict access to users upon misuse of applications and services.

8. MICELLANEOUS PROVISIONS:

This Agreement will be governed by and construed in accordance with the laws of the State of Utah.

9. CUSTOMER IMPLEMENTATION INFORMATION:

Primary Implementation Contact _____ Title _____

Office Phone _____ Cell _____ Email _____

Secondary Implementation Contact _____ Title _____

Office Phone _____ Cell _____ Email _____

10. CUSTOMER BILLING INFORMATION:

Billing Contact _____ Title _____

Office Phone _____ Cell _____ Email _____

PO# _____ (if required) Tax Exempt ID # _____

11. ACCEPTANCE:

The effective date of this Agreement is listed below. Authorized representative of Customer and iWorQ have read the Agreement and agree and accept all the terms.

Signature _____ Effective Date: _____

Printed Name _____

Title _____

Office Number _____

Cell Number _____

PublicWorks1 Service(s) Agreement

APPENDIX A

PublicWorks1 Price Proposal

Ketchum, Idaho	Centerline Miles: 33
Address of City North, 480 East Ave, Ketchum, ID 83340	Prepared by: McKenzie Roundy

Service & Travel Fees

PublicWorks1 Services	Package Price	Billing
Data Collection and Asset Conversion Package includes: -Trimble MX7 Image Collection -Presented/Delivered Data Shapefile for the following assets: <ol style="list-style-type: none"> 1. Signs 2. Dry Wells 3. Street Lights 	\$20,000	One-Time
Pavement Condition Assessment -A pavement distress identification based on remaining service life (RSL), and the SHRP distress (alligator, transverse, edge, patching and potholes, longitudinal). - A condition for each segment - A network pavement condition distribution - A recommended treatment for each pavement segment - A complete data set entered into the iWorQ Pavement Management application - The information and data required for budgeting and planning - 360-degree georeferenced imagery. - Collected images will be uploaded to image viewer within associated module. - GIS Layers provided at customer request. - Track and manage maintenance history - OpenStreetMap with point and line layers	Included	
Travel Expenses	\$5,000	One-Time
Services Total (This amount will be invoiced once)	\$25,000	One-Time Total

NOTES & SERVICE(S) DESCRIPTION

- I. Invoice for the Service(s) will be sent out 2 weeks after the field work has been completed
- II. This Agreement has been provided at the Customer's request and is valid for 30 days
- III. This cost proposal cannot be disclosed or used to compete with other companies.



City of Ketchum

February 16th, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Approval of Cost Sharing Agreement with Blaine County for Sustainability Program Management

Recommendation and Summary

On January 19th, the City Council expressed support for a cost-share arrangement between the city and Blaine County to fund a City-County Sustainability Program Manager. On January 26th, the Board of County Commissioners considered the matter and concluded that they were uncomfortable moving forward with filling a full-time county position (FTE) in the current fiscal year. Instead, they supported the idea of a contract position for the remainder of this fiscal year and then make a final determination on the position as part of their spring budget development process. Therefore, attached is the proposed cost-share agreement for your consideration.

The reasons for the request are as follows:

- Many of the city's sustainability initiatives such as clean energy will require a valley or regional solution to be effective.
- This position will provide a single coordinator to create implementation plans between all governmental and non-governmental entities.
- Creation of this position would enable better coordination between not only governmental entities within the valley but non-profits as well.

Introduction and History

Over the last year there have been informal discussions between the county and the cities of Hailey and Ketchum regarding the synergistic value of a position to coordinate key valley sustainability initiatives (e.g. clean energy, solid waste/recycling, water). The original concept was to split the funding equally between the three entities. Currently, the City of Hailey does not have funds to participate but hopes to participate in future years.

Analysis/Next Steps

Should the Council approve this cost-share agreement, the county would advertise for professional services proposals. The city would have an equal voice in the selection of the consultant and their associated annual work plan. Staff has also raised the idea of a steering or advisory committee consisting of both governmental and non-profit organizations who focus on valley sustainability efforts.

Sustainability Impact

Many of the city's goals outlined in the Ketchum Sustainability Plan are valley-wide in nature. This position would help bifurcate regional goals to this new position and city only goals to city staff.

Financial Impact

Blaine County has drafted the RFP document with the allowance of up to \$10,000 per month based on qualifications and scope of work. This would be split equally between the city and county.

The City Council allocated \$50,000 in the FY21 budget for sustainability related initiatives. To date, \$3,000 was used for professional services to facilitate KSAC efforts. The remaining funds could be used for this position. Assuming a consultant was retained by the first of March at the maximum monthly rate, it would be a total of \$70,000, with \$35,000 being the city's portion. Should KSAC identify one-time sustainability projects in the current fiscal year, funds could come from the current CIP fund balance to implement.

Attachment:
Cost Share Agreement

AGREEMENT BETWEEN THE CITY OF KETCHUM AND BLAINE
COUNTY FOR SUSTAINABILITY PROGRAM MANAGEMENT COST
SHARING

THIS AGREEMENT (hereinafter “Agreement”) is made and entered into this _____ day of February, 2021, by and between the City of Ketchum, Idaho, (hereinafter “City”) an Idaho municipal corporation and BLAINE COUNTY, (hereinafter “County”) a political subdivision of the State of Idaho, hereinafter referred to as the “Parties.”

RECITALS

WHEREAS, the City is a municipal corporation duly organized and existing under the laws of the State of Idaho; and

WHEREAS, pursuant to Idaho Code §50-301, the City is empowered to enter into contracts as may be deemed necessary to promote the welfare of the City of Ketchum and its residents; and

WHEREAS, the County is a political subdivision of the State of Idaho duly organized and existing under the laws of the State of Idaho; and

WHEREAS, the City and County have identified the need for a Sustainability Program, to include staff, equipment, software programs, and administrative costs; and

WHEREAS, the City and County and members of the public desire to develop a Sustainability Program to lead the region’s sustainability efforts in reducing the region’s carbon footprint and to proactively address climate-related impacts; and

WHEREAS, the City and County will benefit from a joint effort by collaborating on regional sustainability initiatives; and

WHEREAS, the City and County will work to develop short and long-term initiatives aimed at enhancing the sustainability of the region.

TERMS

NOW, THEREFOR, subject to the limitations of this Agreement and in order to provide assistance between the parties in providing Sustainability Program management services, it is hereby agreed as follows:

1. DURATION OF AGREEMENT. This Agreement shall not be effective until it is signed by the County and the City. It shall continue in full force unless terminated from the signature dates herein until September 30, 2021. The parties may agree to mutually extend this Agreement by subsequent written agreement.

2. NOTICES. All notices, requests, demands, or other communication required or provided for under this Agreement shall be in writing. Notices to the City and County shall be addressed as follows:

CITY:

City of Ketchum
Attn: City Administrator
480 East Avenue N.
Ketchum, ID 83340

COUNTY:

Blaine County
Attn: County Administrator
206 First Avenue South, Suite 300
Hailey, ID 83333

3. PURPOSE. The purpose of this Agreement is to allow the City to contract with County for partially funding the Sustainability Program Manager position to provide direct service to Blaine County and its cities serving as coordinator to streamline local governmental sustainability action.
4. FINANCE AND BUDGET. The City shall reimburse County for approximately fifty percent (50%) of the Sustainability Program Manager’s contracted rate for FY21. Such payment shall not exceed the amount of \$5,000.00 per month to be paid in quarterly installments not to exceed \$15,000.00 quarterly with the first payment due _____, 20__.
5. EMPLOYMENT STATUS. The City and County hereby agree that the Sustainability Program Manager shall perform the obligations under this Agreement exclusively as an Independent Contractor of the County and not as employee or agent of the City. The Parties do not intend to create through this Agreement any partnership, corporation, employer/employee relationship, joint venture, or other business entity or relationship other than that of this Agreement. The Sustainability Program Manager shall not receive nor be entitled to any employment-related benefits from the City including without limitation, workers’ compensation insurance, unemployment insurance, health insurance, retirement benefits or any benefit that the City offers to its employees.
6. MUTUAL HOLD HARMLESS. Each Party to this Agreement agrees to indemnify and hold harmless the other from any and all liability for any injury, damage or claim suffered by any person or property caused by the party or its employee while performing under this Agreement.
7. DUTIES. The provision of these services shall be governed as set out below:

The County and City agrees to collaborate on the following responsibilities pertaining to the Sustainability Program Manager position:

1. To agree on the position duties and responsibilities to benefit either or both the City and County.
2. To participate in the hiring process of the Sustainability Program Manager.
3. To develop and approve the annual work plan.
4. To participate on or provide recommendations for participants to the Sustainability Advisory Committee.
5. To participate in conducting evaluations of work product and performance of the Program Manager.
6. To cure any ambiguity, to correct or supplement any provision herein which may be inconsistent with any other provisions with respect to matters or questions arising under this Agreement which are not inconsistent with the provisions of the Agreement.

The position will be assigned to work at the County to accomplish the tasks assigned. The position will report to the County Administrator.

The County agrees to host a dedicated web page on its web site for the Sustainability Program. Content of the web page will be determined by the Sustainability Advisory Committee and implemented by the Sustainability Program Manager as part of his/her duties.

8. AMENDMENT. This Agreement may be amended at any time, and from time to time, by the mutual written consent of the City and County for any of the following purposes:
 1. To add provisions to the Agreement to benefit either or both the City and the County.
 2. To extend the term of the agreement.
 3. To cure any ambiguity, to correct or supplement any provision herein which may be inconsistent with any other provisions with respect to matters or questions arising under this Agreement which are not inconsistent with the provisions of the Agreement.

9. SEVERABILITY. In the event any provision of this Agreement shall be declared by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not, in any way, be affected or impaired thereby.

IN WITNESS WHEREOF, each of the parties has executed this Agreement by its duly authorized officials.

DATED this _____ day of February, 2021.

CITY OF KETCHUM, IDAHO
an Idaho political subdivision

By _____
_____, _____

BLAINE COUNTY, an Idaho political subdivision

By _____
_____, Chair, Board of
Blaine County Commissioners

ATTEST:

JoLynn Drage, Recorder



City of Ketchum

February 16th, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Request for Interim Budget Change to Fund Summer Town Beautification Efforts

Recommendation and Summary

During the FY21 budget development process, the Mayor and Council supported the reduction of expenses related to summer beautification efforts (flowers) in order to achieve a balanced budget. Expenses for flowers were primarily located at Town Square, Fourth Street and Main Street.

Over the last several fiscal years, the beautification budget has been reduced as follows:

- FY19 - \$45,256 in beautification line item (\$22k lights, \$16k flowers, balance for other miscellaneous items)
- FY20 - \$31,000 (\$22k lights, flower budget cut to \$9k)
- FY21 - \$22,000 (all for lights, flower budget eliminated)

Last summer, city facilities staff received significant feedback from both downtown businesses as well as residents regarding the reduction of flowers. Staff had already received feedback on the reduction of flowers resulting from the FY19 to FY20 budget reduction. Based on resident feedback and improved collection of Local Option Taxes, staff is seeking Council approval to reinstate funding for this summer.

Sustainability Impact

Reinstating funding for the flowers will have a corresponding increase in water utilization. All plants do absorb a relative amount of CO2 gases.

Financial Impact

Through January 31, 2021, the City Local Option Tax Fund has received approximately \$80,000 more in revenue than at the same date last year. Staff is proposing to utilize some of that surplus to fund the flower enhancements of \$15,500.

Attachment:
None



City of Ketchum

February 16, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Discussion and Policy Direction to City Staff on Franchise Agreement with Clear Creek Disposal

Recommendation and Summary

City staff has been working with Clear Creek Disposal to evaluate service enhancements associated with a new Franchise Agreement. This evaluation has been in partnership with the City of Hailey, Blaine County, Southern Idaho Solid Waste District, as well as interested non-profit partners such as the Environmental Resource Center, Sun Valley Institute for Resilience and Ketchum Sustainability Advisory Committee.

On February 4, a joint meeting between Blaine County Commissioners, the cities of Bellevue, Hailey and Ketchum occurred. During the meeting, the County expressed concerns with transitioning to a comingled recycling program. On February 8, the Hailey City Council directed city staff to not pursue comingled recycling due to similar concerns expressed by the County. Based on these recent events, city staff is recommending the following **revised** course of action:

- Receive policy direction from the City Council as to whether they would like to pursue the recycling of organic materials through a new composting program.
- Transition current cardboard drop off location from numerous open dumpsters to one compacter system.
- Offer the ability for customers to purchase wildlife proof containers but do not mandate.
- Conduct community outreach to gain feedback on (1) potential composting program and (2) to gauge any modest improvements (e.g. education, etc.) to recycling program from both current recycling and non-recycling households.
- Return to the Council with findings from community input.
- Return to the Council with an updated 10-year franchise agreement that calls for an annual evaluation/implementation to any future recycling service changes and associated customer charges.

Introduction and History

The starting point for the project was a waste audit for Blaine County conducted by Warm Springs Consulting (*attachment #1*) which concluded there were two major opportunity areas to explore:

- 23.5% of waste stream consisted organic materials.
- 18.1% included recyclable materials such as cardboard, paper and plastic.

In addition to those opportunities, two other related topics were explored:

- How to reduce the contamination and other negative impacts associated with the community drop off recycling sites (*attached photo*).

- How to reduce the occurrence of bears and other animals being attracted to trash containers resulting in euthanizing those animals.

The group evaluated multiple service scenarios and **initially** recommended the following new services:

- Curbside co-mingled recycling versus the current approach where residents must sort their recyclables. National evidence and experience in other western communities have demonstrated that this change can result in a 65%-100% increase of recyclable material. The new service would also allow for the collection of cardboard at the curbside. Customers would receive a new container on wheels. It would be collected every other week.
- Curbside collection of organic materials (food/yard waste). Customers would receive a cart and pickup would occur every other week (off-set with comingled recycling).
- Collection of glass would still occur at drop-off sites.

Implementation of the proposed service enhancements could have been implemented through two approaches:

- **Phased:** The organic curbside option could be rolled out first, as it requires less lead time.
- **Combined:** Launch both programs, as they are meant to work together, on an every other week pick-up basis. This option would not likely be launched for 1 ½ - 2 years due to the lead time for a comingled recycling program.

These recommendations carry logistical/role changes between Blaine County and the Southern Idaho Waste District at the Ohio Gulch Facility. The details were discussed at the recent joint meeting. For Clear Creek Disposal, there would be operational changes as well; ranging from the need to purchase and distribute additional carts as well as new trucks. All of this would result in an increase in monthly costs for customers.

Analysis/Next Steps

Should the Council support the revised recommendations bulleted in the introduction section, staff would proceed with a robust community outreach effort regarding the goals of the proposed service changes, associated costs, and customer impact (e.g., more carts at their home and change of pick-up schedule). Staff would return to the Council with the findings from the public input to determine if the Council is still supportive of the proposed service changes.

Sustainability Impact

The Ketchum Sustainability Action Plan lists these potential service improvements as items to explore to reduce the amount of solid waste going to the regional landfill.

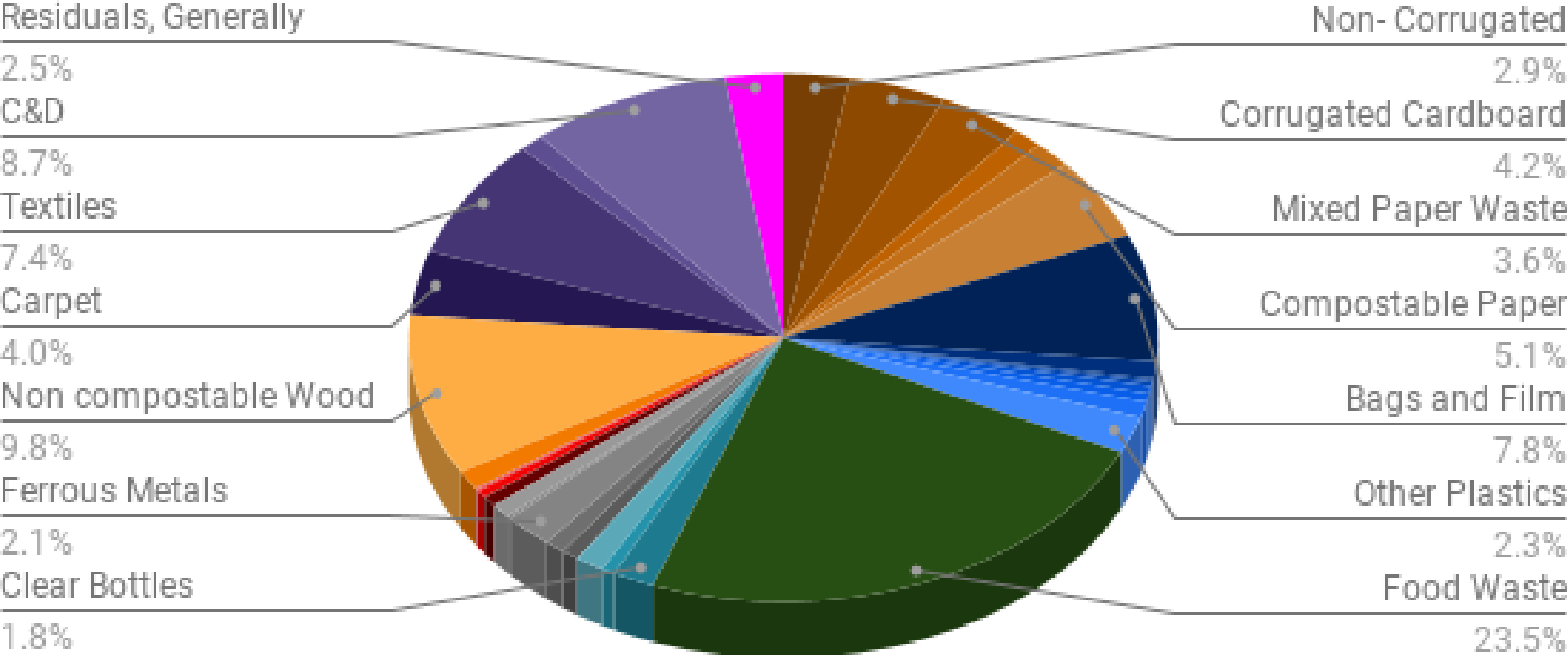
Financial Impact

Clear Creek has proposed an initial rate adjustment to address inflation in costs associated with existing service as there has not been a rate adjustment in several years. Clear Creek has developed an initial cost estimate for each associated service enhancement. Should the Council support moving forward with the two new service enhancements, staff would recommend establishing a Solid Waste Trust Account to allow for fluctuations in the recycling commodities market in a given year so as to avoid sporadic customer rate adjustments.

Attachments:

1. Waste Audit findings
2. Photo of existing recycling drop-off centers

Blaine County (March Subcategory Proportions)







City of Ketchum

February 16th, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to hold a public hearing and approve the 3rd reading of Ordinance 1217 adopting the 2018 International Code Council (ICC) Family of Codes and local amendments: International Fire, Building, Residential, Energy Conservation, Swimming Pool and Spa, Existing Building, and Property Maintenance

Recommendation and Summary

Staff recommends holding a public hearing, considering public input, and approving the third reading of Ordinance 1217.

Public Comment

To date (02/10/21) no public comment has been received.

Recommended motion

"I move to approve the third reading of Ordinance 1217 by title only:

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION, REPEALING CHAPTER 15.04, BUILDING CODES; ADOPTING A NEW CHAPTER 15.04, BUILDING CODES; REPEALING CHAPTER 15.08, FIRE CODES; ADOPTING A NEW CHAPTER 15.08, FIRE CODES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE."

Financial Impact

None at this time.

Attachments:

- A. Draft Ordinance 1217
 - a. Exhibit A: Chapter 15.04, Building Codes
 - b. Exhibit B: Chapter 15.08, Fire Code
 - c. Exhibit C: Publication summary

ORDINANCE NO. 1217

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION, REPEALING CHAPTER 15.04, BUILDING CODES; ADOPTING A NEW CHAPTER 15.04, BUILDING CODES; REPEALING CHAPTER 15.08, FIRE CODES; ADOPTING A NEW CHAPTER 15.08, FIRE CODES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum, pursuant to Idaho Code §39-4116(2) and as a local government that issues building permits and performs building code enforcement activities, shall adopt the following codes as published by the International Code Council and amended by the Idaho building code board through the negotiated rule making process:

- (a) International Building Code, including all rules promulgated by the board to provide equivalency with the provisions of the Americans with disabilities act accessibility guidelines and the federal fair housing act accessibility guidelines;
- (b) International Residential Code, parts I-III and IX, including appendix F, Radon Controls;
- (c) International Energy Conservation Code, as amended by the Idaho Building Code Board;
- (d) International Swimming Pool and Spa Code;
- (e) International Existing Building Code; and
- (f) and the International Property Maintenance Code.

WHEREAS, the City of Ketchum, pursuant to Idaho Code §39-4116(4), may amend the adopted codes or provisions of the above referenced codes to reflect local concerns, if such amendments establish at least an equivalent level of protection. §39-4116(4)(e), Local jurisdictions may amend the remainder of Part III of the International Residential Code if they find that good cause for building or life safety exists for such an amendment to such codes and that such amendment is reasonably necessary;

WHEREAS, the City of Ketchum, pursuant to Idaho Code §31-714 “. . . may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein...”

WHEREAS, areas of the City of Ketchum require higher roof snow load standards due to elevation, topography and climate and will require construction in accordance with the 2018 International Building Code and snow loads established in part based on “Ground and Roof Snow Loads for Idaho” by Ronald L. Sack and Azim Sheikh-Taheri, © 1986 by the Department of Civil Engineering, University of Idaho, Moscow, Idaho 83843;

WHEREAS, while the City of Ketchum supports the salvage of existing structures for building material conservation as well as relocated residences, it is appropriate to require that moved residential and commercial structures meet the same energy conservation, structural, life safety and other code requirements as new structures;

WHEREAS, buildings use the most energy of any sector in the US - more than the transportation sector - therefore; it makes sense to curtail impact where they are greatest;

WHEREAS, Ketchum's climate requires significant amounts of energy to heat during the winter months, which translates to higher energy costs and provides an opportunity to substantially increase efficiencies and savings;

WHEREAS, the average life span of a building is 75 years and during this time the status of energy prices and availability could change, especially considering the potential impacts of climate change and future policies aimed at curtailing emissions associated with climate change; and

WHEREAS, it is appropriate to update Chapter 15.08 of the Ketchum Municipal Code to adopt the 2018 International Fire Code;

WHEREAS, it is appropriate to modify certain provisions of the adopted codes and standards, as set forth herein;

WHEREAS, the adoption of the fire codes and standards set forth herein will promote the health, safety and general welfare of the citizens of the City of Ketchum; and

WHEREAS, the City Council, having reviewed the proposed subdivision code amendments, held public hearings on January 19th, 2021, February 1st, 2021, and February 16th, 2021; and

WHEREAS, the City Council, having considered submitted comments and testimony from the public, having determined that it is in the best interests of the public to adopt the proposed amendments to Title 15, Buildings and Construction:

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

Section 1. AMENDMENTS TO TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER 15.04, BUILDING CODES. That Title 15 of the Ketchum Municipal Code is amended by repealing Chapter 15.04, Building Codes, in its entirety and replacing it with a new Chapter 15.04, Building Codes, as attached and incorporated as Exhibit A to this Ordinance.

Section 2. AMENDMENTS TO TITLE 15, BUILDINGS AND CONSTRUCTION, CHAPTER 15.08, FIRE CODES. That Title 15 of the Ketchum Municipal Code is amended by repealing Chapter 15.08, Fire Codes, in its entirety and replacing it with a new Chapter 15.08, Fire Codes, as attached and incorporated as Exhibit B to this Ordinance.

Section 3. SAVINGS AND SEVERABILITY CLAUSE. If any section, paragraph, sentence or provision hereof of the application to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 4. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 5. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit C, 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 _____ day of _____, 2021.

APPROVED BY the Mayor of the City of Ketchum, Idaho, this _____ day of _____, 2021.

APPROVED:

Neil Bradshaw, Mayor

ATTEST:

Katrin Sharp, Deputy City Clerk

EXHIBIT A

15.04.010: CODES ADOPTED:

Pursuant to Idaho Code section 39-4116(1), the following codes published by the International Code Council are adopted by reference:

- A. The International Building Code (“IBC”), 2018 edition, as amended by the Idaho Building Code Board and including new Appendix O;
- B. The International Residential Code (“IRC”), 2018 edition, as amended by the Idaho Building Code Board, parts I-III and IX, including appendix F, radon control methods;
- C. The International Energy Conservation Code (“IECC”), 2018 edition, as amended by the Idaho Building Code Board;
- D. The International Swimming Pool and Spa Code (“ISPSC”), 2018 edition;
- E. The International Existing Building Code, 2018 edition, as amended by the Idaho Building Code Board; and
- F. The International Property Maintenance Code, 20128 edition.

15.04.020: AMENDMENTS:

Pursuant to Idaho Code section 39-4116(4), the following codes adopted pursuant to section 15.08.010 of this chapter or provisions thereof are added to, amended, altered and/or modified as follows:

A. Amendments to The International Building Code:

1. Section 101.1 Title. Insert: [City of Ketchum, Idaho]

2. Section 101.4 Referenced codes.

a. Delete **Section 101.4.3 Plumbing.** and replace to read as follows: **Section 101.4.3 Plumbing.** The provisions of the Idaho State Plumbing Code (ISPC) as adopted and incorporated by reference with amendments as prescribed by the Idaho Plumbing Board shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The number of required plumbing fixtures shall be determined by using IBC Table 2902.1 and as per the International Plumbing Code as referenced in the table.

b. Add **Section 101.4.8 Electrical.** The provisions of the latest edition of the National Electrical Code (NEC), as approved by the Standards Council, and as amended and approved by the Idaho Electrical Board shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

3. Section 105 Permits

a. **Add Section 105.1.6 Demolition Permits.** ~~Demolition Permits: The IRC is amended to add the following section R105.1.3 and the IBC is amended to~~

~~add the following 105.1.3:~~

- 1) General Requirements. See Chapter 15.16, Demolition of Structures, of Ketchum Municipal Code.
- 2) An application for a demolition permit shall be deemed to be abandoned 180 days after the date of filing, unless such demolition has been completed.
- 3) A demolition permit shall be deemed invalid unless the demolition is commenced within 180 days after the permit is issued, or if the demolition on the site is suspended or abandoned for a period of 180 days after the time the work is commenced.

b. **Amend Section 105.3 Application for permit.** Add the following language prior to the existing text:

Required Permits: Required building permit applications shall be made on forms furnished by the City of Ketchum, and approval shall be in accordance with all requirements of the IBC, as amended by the Idaho Building Code Board, and this code.

c. **Delete Section 105.5 Expiration.** and replace with the following:

Section 105.5 Expiration

1. Expiration of Building Permits. Except as otherwise provided herein, every permit issued under the provisions of this code shall expire and become null and void if the building or work authorized by such permit is not completed within one hundred eighty days (180) after its issuance, unless the permittee extends the building permit as provided in this section. A permit is considered null and void if no inspections have been completed by the building official or requested by the permittee for a period of one hundred eighty (180) days.
2. Extension of Building Permit. A permit may be extended for a period not to exceed one hundred eighty (180) days by an application for extension filed with the planning and building department. A permit issued under the provisions of this code may be granted a maximum of four (4) extensions but in no case may the total number of extensions exceed 180 days.
3. Maximum Project Duration. Under no circumstances may any project exceed 1095 days, or three (3) years, of construction activity from the date the building permit was issued. After 1095 days, or three (3) years, a building permit shall be considered null and void and the applicant shall reapply for a new building permit for the unfinished portions of the project and shall pay all applicable fees.

4. Section 109 Fees

a. **Section 109.1 Payment of Fees.** Add the following language at the end of **Section 109.1:**
...Fees shall be those established by the City of Ketchum.

b. **Section 109.6 Refunds.** Is deleted in its entirety and replaced as follows:

The building official is authorized to establish a refund policy but shall not authorize the refunding of more than eighty percent (80%) of the permit fee or the various plan review fees. The applicant

for a building permit must request a refund in writing on or before the one-year anniversary of the date the application for a permit was completed.

5. Section 113 Board of Appeals

Section 113 shall be amended by the addition of a new section 113.3.1, as follows:

Section 112.3.1 Board Membership. The mayor and the Ketchum city council will appoint a three (3) person board to stand as the board of appeals, as needed, with membership to be selected from, but not limited to, the following list of professionals in the various fields of expertise in the building industry:

- A Blaine County, Idaho building official;
- The city of Ketchum fire chief;
- Registered design professional or a builder or superintendent of building with at least ten years' experience, five of which shall have been in responsible charge of work;
- Registered design professional with fire protection engineering experience or fire protection contractor with ten years' experience, five of which shall have been in responsible charge of work;
- Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work;
- A licensed Idaho architect; and
- A licensed Idaho structural engineer.

6. **Section 114.1 Unlawful Acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure or equipment regulated by this code or permits authorizing work, or cause same to be done, in conflict with or in violation of any of the provisions of this code, local amendments, and all permits granting work to occur.
7. **Section 115.1 Stop Work Order Authority.** Where the building official finds any work regulated by this code or entitlement permits, being performed in a manner either contrary to the provisions of this code or entitlement permits or dangerous or unsafe, the building official is authorized to issue a stop work order.
8. **Section 117 Indemnity.** Every person, firm or corporation to whom permission has been granted under the terms of this code and the general ordinances to utilize public property for the demolition work or the moving of any building, structure or utility, shall at all times assume full responsibility for such demolition or moving. Such permission shall be further conditioned for the use of public property to at all times release, hold harmless and indemnify the city of Ketchum and all of its agents and employees from any and all responsibility, liability, loss or damage resulting to any persons or property or caused by or incidental to the demolition or moving work.
9. **Section 118 Insurance.** Any person, firm or corporation, demolishing or moving any building, structure or utility, shall deposit with the building official a certificate of insurance showing the city of Ketchum as a named insured on the insurance policy. The certificate of insurance shall evidence that the liability insurance policy covers the policy holder and the city of Ketchum as a named insured. Such insurance shall be valid at all times during demolition or moving operations. Said liability insurance coverage shall be in the amount of at least \$1,000,000 for bodily or personal injury, death, or property damage or loss as the result of any one (1) occurrence or

accident, regardless of the number of persons injured or the number of claimants. The purpose of the insurance required herein is specified in section 3601 of this chapter.

10. **Section 119 Damage To Public Property.** As a condition of obtaining a permit to wreck, remove or move any building, structure or utility, the permittee assumes liability for any damage to public property occasioned by such moving, demolition or removal operations.
11. **Section 202** is amended by adding the following definitions:
 - a. **Commencement Of Work.** Any excavation including the removal of top soil or any removal of trees or brush preparatory to excavation shall be defined as the commencement of work authorized by a permit.
 - b. **Height of building.** Shall be deleted in its entirety and replaced with the definition of building height contained in Title 17, Chapter 17.08 of the Ketchum municipal code, as amended.
12. **Section 1405 Combustible Materials on the Exterior Side of Exterior Walls** is amended as follows:

Section 1405.1 is amended as follows by adding the following sentence: All materials within 12” vertical of finished grade shall be 1 hour rated, non-combustible, or covered with minimum 28 gauge flashing. The area 12” horizontal from the base of a wall shall be finished in a way to prevent any vegetation growing, and for vegetative debris to be easily removed.

13. Section 1505 Fire Classification

- a. **Section 1505.1** is amended as follows: 1505.2 Class A Roofing Required. Class A roof assemblies with no wood products in the roof covering are required on all new buildings. Class A roof assemblies with no wood products in roof covering are required for all re-roofs over 3,000 square feet of roof area. Class A is not required when less than twenty-five (25) percent of the roof area is being repaired and additional areas are not subsequently repaired within five (5) years. Additions to buildings over 1,000 square feet of roof area require that the roof of the entire building be upgraded to a class A roof assembly with no wood products in the roof covering.
- b. **Section 1505 Fire Classification** is amended by addition of a new subsection **1509. Roofs, Underfloor Protection, Gutters, Downspouts.**

1505.9 Roof Coverings. Any alteration, addition or repair of twenty-five percent (25%) or more of a roof surface or any new construction shall construct the entire roof in compliance with this section 1505.9. If an alteration, addition or repair of an existing roof involves less than twenty percent (25%) of a roof, only that alteration, addition or repair shall conform to the requirements of this section 1505.9 without the existing structure complying with all of requirements of this section 1505.9. Roofs shall have at least a class C roof assembly, as defined by the most currently adopted version of IBC, or an approved noncombustible roof covering. Cedar shake and all wood-based roof coverings are prohibited, even if such roof coverings are classified as a class C roof assembly. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers, or have on layer of seventy two (72) pound (32.4 kg) mineral surfaced, nonperforated cap sheet complying with ASTM 3909 installed over the combustible decking.

1505.9.1 Roof Valleys. Where provided, valley flashings shall be not less than 0.019 inch (0.44 mm) (no. 26 galvanized sheet gage) corrosion resistant metal installed over a minimum thirty six inch (36") wide (914 mm) underlayment consisting of one layer of seventy two (72) pound (32.4 kg) mineral surfaced, nonperforated cap sheet complying with ASTM D 3909 running the full length of the valley.

1505.9.2 Unenclosed Underfloor Protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls. Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one hour fire resistance rated construction or heavy timber construction.

1505.9.3 Gutters And Downspouts. Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with an approved means to prevent the accumulation of leaves and debris in the gutter.

14. **Section 1507 Requirements for Roof Coverings**

- a. **Section 1507.8 Wood Shingles** is repealed in its entirety.
- b. **Section 1507.9 Wood Shakes** is repealed in its entirety.

15. **Section 1511.1.1** is added as follows:

1511.1.1 Reroof Requirements. When a structure is being reroofed it is required to have a class A roof covering or assembly containing no wood products. Class A or the highest rated covering that matches existing covering is required when less than twenty-five (25) percent of the roof area is being repaired and additional areas are not subsequently repaired within five (5) years.

16. **Section 1513** is added:

1513 Snow Retention Devices. These devices are permanently attached to the roofing assembly and shall be placed on the roof above, including but not limited to, skylights, sun rooms, greenhouses, and pedestrian areas, to limit the potential for sliding snow or ice onto pedestrian areas below said roof areas for all occupancies. Minimum design shall be equal to the design roof snow load of 100 pounds per square foot.

17. **Section 1605.2** is amended as follows:

$f_2 = 0.7$ for roof configurations (such as saw tooth) that do not shed snow off the structure, and 0.35 for other roof configurations.

18. **Section 1605.3.1 Basic load combinations** Exception 2 is amended as follows:

2. Flat roof snow loads of 30 psf (1.44kN/m²) or less and roof live loads of 30 psf or less need not be combined with seismic loads. Where flat roof snow loads exceed 30 psf (1.44kN/m²), 35 percent (35%) of the flat roof snow load shall be combined with seismic loads.

19. **Section 1605.3.2 Alternative basic load combinations** Exception 2 is amended as follows:

2. Flat roof snow loads of 30 psf (1.44kN/m²) or less and roof live loads of 30 psf or less need not be combined with seismic loads. Where flat roof snow loads exceed 30 psf (1.44kN/m²), 35 percent (35%) of the flat roof snow load shall be combined with seismic loads.

20. **Section 1607 Live Loads** is amended as follows:

Table 1607.1, Row 5, Balconies and decks shall be amended to show a one hundred (100) pound snow load for all balconies and decks regardless of occupancy or size.

21. **Section 1608.2** is amended as follows:

The ground snow loads to be used in determining the design snow loads for roofs p_g , for Ketchum is determined to be site specific (CS) and shall be taken as 120 psf.

22. **Section 1608.5 Flat Roof Snow Loads**

The snow load, p_f in lb/ft², on a roof with a slope equal to or less than 5° shall be the greater of 100 psf or the value calculated using the following formula:

$$p_f = 0.7 C_e C_i p_g$$

23. Section 1612.3 Insert: [City of Ketchum, Idaho] [date??]

24. **Section 1613 Earthquake Loads** is amended as follows:

Section 1613.4 Effective Seismic Weight. is added to read: The effective seismic weight in section 12.7.2 and section 12.14.8.1 of ASCE7-16 shall be amended as follows:

4. For all roofs regardless of roof slope 35% of the uniform design snow load shall be included in the effective seismic weight (W).

25. **Appendix O.**

Appendix O is added as follows:

Radon Control Methods

Section O101 Scope

O101.1 General. The requirements of the 2018 International Residential Code Appendix F: Radon Control Methods shall apply to all new construction that includes residential and institutional occupancies (R1, R2, R3, R4, I1, I2, I3, and I4). A change of use or occupancy of an existing building that includes residential and institutional occupancies shall meet the requirements of this appendix for radon control.

Exception: Radon mitigation measures are not required if the owner can demonstrate that the proposed design is not likely to produce unacceptable levels of radon gas in sleeping areas. A report showing an approved test was conducted in a representative sleeping area on the lowest residential floor shall be submitted to the building department prior to a certificate of occupancy being issued for the project.

B. Amendments to the International Residential Code

1. **Section R101.1** Insert: [City of Ketchum, Idaho]

2. **Section R105 Permits**

a. **Add Section R105.1.6 Demolition Permits.**

1. General Requirements. See Chapter 15.16, Demolition of Structures, of Ketchum Municipal Code.
2. An application for a demolition permit shall be deemed to be abandoned 180 days after the date of filing, unless such demolition has been completed.
3. A demolition permit shall be deemed invalid unless the demolition is commenced within 180 days after the permit is issued, or if the demolition on the site is suspended or abandoned for a period of 180 days after the time the work is commenced.

b. **Section R105.5** is amended as follows:

1. **Expiration of Building Permits.** Except as otherwise provided herein, every permit issued under the provisions of this code shall expire and become null and void if the building or work authorized by such permit is not completed within one hundred eighty days (180) after its issuance, unless the permittee extends the building permit as provided in this section. A permit is considered null and void if no inspections have been completed by the building official or requested by the permittee for a period of one hundred eighty (180) days.
2. **Extension of Building Permit.** A permit may be extended for a period not to exceed one hundred eighty (180) days by an application for extension filed with the planning and building department. A permit issued under the provisions of this code may be granted a maximum of four (4) extensions but in no case may the total number of extensions exceed 180 days.
3. **Maximum Project Duration.** Under no circumstances may any project exceed 1095 days, or three (3) years, of construction activity from the date the building permit was issued. After 1095 days, or three (3) years, a building permit shall be considered null and void and the applicant shall reapply for a new building permit for the unfinished portions of the project and shall pay all applicable fees.

3. **Section R108.2** is amended to read:

R108.2 Schedule Of Permit Fees.

On buildings, structures, or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of the city of Ketchum.

4. **Section R112 Board of Appeals**

Section R112 shall be amended by the addition of a new section 112.3.1, as follows:

Section R112.3.1 Board Membership. The mayor and the Ketchum city council will appoint a three (3) person board to stand as the board of appeals, as needed, with membership to be selected from, but not limited to, the following list of professionals in the various fields of expertise in the building industry:

A Blaine County, Idaho building official;

The city of Ketchum fire chief;

Registered design professional or a builder or superintendent of building with at least ten years' experience, five of which shall have been in responsible charge of work;

Registered design professional with fire protection engineering experience or fire protection contractor with ten years' experience, five of which shall have been in responsible charge of work;

Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work;

A licensed Idaho architect; and

A licensed Idaho structural engineer.

5. **Section 113.1 Unlawful Acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure or equipment regulated by this code or permits authorizing work, or cause same to be done, in conflict with or in violation of any of the provisions of this code, local amendments, and all permits granting work to occur.
6. **Section 114.3 Stop Work Order Authority.** Where the building official finds any work regulated by this code or entitlement permits, being performed in a manner either contrary to the provisions of this code or entitlement permits or dangerous or unsafe, the building official is authorized to issue a stop work order.
7. **Section R115 Indemnity** is added as follows:

Every person, firm or corporation to whom permission has been granted under the terms of this code and the general ordinances to utilize public property for the demolition work or the moving of any building, structure or utility, shall at all times assume full responsibility for such demolition or moving. Such permission shall be further conditioned for the use of public property to at all times release, hold harmless and indemnify the city of Ketchum and all of its agents and employees from any and all responsibility, liability, loss or damage resulting to any persons or property or caused by or incidental to the demolition or moving work.

8. **Section R116 Insurance** is added as follows:

Any person, firm or corporation, demolishing or moving any building, structure or utility, shall deposit with the building official a certificate of insurance showing the city of Ketchum as a named insured on the insurance policy. The certificate of insurance shall evidence that the liability insurance policy covers the policy holder and the city of Ketchum as a named insured. Such insurance shall be valid at all times during demolition or moving operations. Said liability insurance coverage shall be in the amount of at least \$1,000,000 for bodily or personal injury, death, or property damage or loss as the result of any one (1) occurrence or accident, regardless of the number of persons injured or the number of claimants. The purpose of the insurance required herein is specified in section 3601 of this chapter.

9. **Section R117 Damage to Public Property** is added as follows:

As a condition of obtaining a permit to wreck, remove or move any building, structure or utility, the permittee assumes liability for any damage to public property occasioned by such moving, demolition or removal operations.

10. **Section R202 Definitions** is amended as follows:

- a. **Commencement Of Work.** Any excavation including the removal of top soil or any removal of trees or brush preparatory to excavation shall be defined as the commencement of work authorized by a permit.
- b. **Height of building.** Shall be deleted in its entirety and replaced with the definition of building height contained in Title 17, Chapter 17.08 of the Ketchum municipal code, as amended.

11. Table R301.2 Climatic and Geographic Design Criteria

a. Insert the following information into **Table R301.2(1)**:

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA						
GROUND SNOW LOAD ^o	Wind Design				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM
	120 PSF	Speed ^d (mph)	Topographic Effects ^k	Special wind region ^l		
	90 MPH	NO	NO	NO		

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA						
SUBJECT TO DAMAGE FROM		Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean annual temp ^l
Frost line depth ^b	Termite ^c					
32”	Slight to moderate					

Manual J Design Criteria ⁿ			
Elevation	Latitude	Winter Heating	Summer Cooling
5840’	44° N	75°	75°

Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb
25°	15	7.5	61°

Manual J Design Criteria ⁿ			
Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
0.92	72°	75°	90°
Daily Range	Winter Humidity	Summer humidity	
H	30%	30%	

b. Section R302.2.2.1 Determination of seismic design category.

Section R301.2.2.1 Determination of seismic design category. is amended by the addition of the following subsection R301.2.2.1.3, as follows:

R301.2.2.1.3 Engineering Design For Seismic Resisting System. All structures, including detached one- and two-family structures in seismic design category C or greater shall have a lateral force resisting system designed in accordance with accepted engineering practice by the engineer of record. The effective seismic weight for such buildings shall include thirty five percent (35%) of the flat roof uniform design snow load.

c. Section R301.2.3 Snow loads.

Section R301.2.3 Snow Loads. shall be amended by the deletion of section R301.2.3 in its entirety and replaced with the following language:

Section R301.2.3 Snow Loads. All roofs shall sustain within the stress limitations of this code, all "dead loads" plus unit "snow loads" of at least one hundred (100) pounds per square foot. The snow loads shall be assumed to act vertically upon the area projected upon a horizontal plane.

12. Section R302.2 Townhouses is amended as follows:

Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Exception: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

13. Section R302.3 Two-Family Dwellings is amended as follows:

Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than a 2-hour fire-resistance rating when tested in accordance with ASTM E119 or UL 263. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.
2. Delete exception 2 in its entirety.

14. Section R302.6 Dwelling-garage separation.

- a. **Section R302.6 Dwelling-garage fire separation.** shall be amended by the deletion of section R302.6 in its entirety and replaced with the following language:

R302.6 Dwelling-garage fire separation required. The garage shall be separated

from the residence and its attic area by means of a minimum five eighths inch (5/8") type X gypsum board applied to the garage side of all walls and ceilings forming part of the separation.

Where the separation is from habitable rooms above the garage by not less than 5/8 inch type X gypsum board or equivalent

Where the separation is a floor/ceiling assembly, the structure supporting the separation shall also be protected by not less than five eighths inch (5/8") type X gypsum board or equivalent.

Garages located less than three feet (3') from a dwelling unit on the same lot shall be protected with not less than five eighths inch (5/8") type X gypsum board applied to the interior side of exterior walls that are within this area. Openings in these walls shall be regulated by section R302.5. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling wall unit.

15. **Section R404.1.6 Height above finished grade** is amended as follows:

All materials within 12" vertical of finished grade shall be 1 hour rated, non-combustible, or covered with minimum 28-gauge flashing. The area 12" horizontal from the base of a wall shall be finished in a way to prevent any vegetation growing, and for vegetative debris to be easily removed.

16. **Section R902 Fire Classifications**

- a. **R902.1 Roofing covering materials.** Roofs shall be covered with a Class A roof covering or assembly containing no wood products as set forth in Sections R904 and R905. Where an addition to an existing structure exceeds 1,000 square feet of roof area, the entire structure must be upgraded to a class A roof covering or assembly containing no wood products. Class A roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E108.
- b. **Section R902 Fire Classifications** shall be amended by adding **subsection R902.3. Roofs, Underfloor Protection, Gutters, Downspouts.** as follows:

R902.2 Roof Coverings. Any alteration, addition or repair of twenty-five percent (25%) or more of a roof surface or any new construction shall construct the entire roof in compliance with this **section R902.2**. If an alteration, addition or repair of an existing roof involves less than twenty-five percent (25%) of a roof, only that alteration, addition or repair shall conform to the requirements of this **section R902.2** without the existing structure complying with all of requirements of this **section R902.2**. Roofs shall have at least a class C roof assembly, as defined by the most currently adopted version of IBC, or an approved noncombustible roof covering. Cedar shake and all wood based roof coverings are prohibited, even if such roof coverings are classified as a class C roof assembly. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers, or have on layer of seventy two (72) pound (32.4 kg) mineral surfaced, nonperforated cap sheet complying with ASTM 3909 install over the combustible decking. **R902.2.1 Roof Valleys.** Where provided, valley flashings shall be not less than 0.019 inch (0.44 mm) (no. 26 galvanized sheet gage) corrosion resistant metal installed over a minimum thirty six inch (36") wide (914 mm) underlayment consisting of one layer

of seventy two (72) pound (32.4 kg) mineral surfaced, nonperforated cap sheet complying with ASTM D 3909 running the full length of the valley.

R902.2.2 Unenclosed Underfloor Protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls. Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior one hour fire resistance rated construction or heavy timber construction.

17. Section R905 Requirements for Roof Coverings. is amended as follows

- a. **R905.1.4 Reroof Requirements.** When a structure is being reroofed it is required to have a class A roof covering or assembly containing no wood products. Class A or the highest rated covering that matches existing covering is required when less than twenty-five (25%) percent of the roof areas is being repaired and additional areas are not subsequently repaired within five (5) years.

18. Section R910 is added to read:

R910 Snow Retention Devices. These devices are permanently attached to the roofing assembly and shall be placed on the roof above, including but not limited to, skylights, sun rooms, greenhouses, and pedestrian areas, to limit the potential for sliding snow or ice onto pedestrian areas below said roof areas for all occupancies. Minimum design shall be equal to the design roof snow load of 100 pounds per square foot.

19. Section R1003.9.2 is amended to read:

R1003.9.2 Spark arrestors. A spark arrestor is required on all masonry chimneys and shall meet all of the following requirements:

20. Section R1005.9 Chimney Chases

R1005.9 Chimney Chases. If a factory-built solid fuel burning appliance chimneys is enclosed within a shaft or chase, it shall be protected on the interior (flue) side as required for one-hour fire-resistive construction. All factory- built chimneys shall have approved spark arrestors installed at the point of termination.

C. Amendments to the International Energy Conservation Code

1. **Section C101.1** Insert: [City of Ketchum, Idaho]
2. **Section R101.1** Insert: [City of Ketchum, Idaho]

D. Amendments to the International Swimming Pool and Spa Code

1. **Section 101.1** Insert: [City of Ketchum, Idaho]

E. Amendments to the International Existing Building code, as amended by the Idaho Building Code Board

1. **Section 101.1** Insert: [City of Ketchum, Idaho]
2. **Section 409.1** is amended to read as follows:

409.1 Conformance.

Structures moved into or within the jurisdiction shall be evaluated by a registered engineer and shall comply with the provisions of the international building code for new structures as amended by the city of Ketchum.

3. **Section 1302.3** is amended as follows:

Buildings shall be evaluated by a registered engineer and shall comply with the international building code or international residential code wind provisions as applicable and as amended by the city of Ketchum.

F. AMENDMENTS TO THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE:

1. **Section 101.1** Insert: [City of Ketchum, Idaho]
2. **Sections 103.1, 103.2, 103.3, and 103.4** are deleted.
3. **Section 103.5 is amended to read:**

103.5 Fees. The fees for activities and services performed by the city of Ketchum in carrying out its responsibilities under this code shall be as set forth in a resolution of the city of Ketchum.

4. **Section 106.3 is amended to read:**

106.3 Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with section 107 shall be deemed guilty of a misdemeanor, with the exception of any violation of section 302, which shall be an infraction, and any violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official or community development director shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

5. **Section 106.4 is amended to read:**

106.4 Violation Penalties. Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, may be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

6. **Section 107.1 is amended to read:**

107.1 Notice to Person Responsible. Whenever the community development director or code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with section 108.3. Any notice or action shall be given at the discretion of the community development director or the code official and a determination by the community development director or the code official that such a notice should be given because of the condition of such property shall be conclusive on the question of whether the condition warrants such action. It shall be the duty of the owner of any lot, place, or area in the city which has been declared a public nuisance as provided herein, within twenty (20) days of posting, mailing, personal service or last day of publication (whichever is later) of the nuisance abatement notice to remove or abate the nuisance or to make written arrangements satisfactory to the city for abatement in the future. Upon the failure, neglect, or refusal of any owner or occupant so notified to remove the nuisance or make such arrangements, the city may cause legal action to be taken.

7. Section 107.3 is amended to read:

107.3 Method of Service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified mail addressed to the last known address;
3. If the notice is returned showing that the letter was not delivered, a notice shall be placed in a newspaper of general circulation in Blaine County. Said newspaper advertisement shall be a general notice and shall contain a general statement of the effect of such posting.

8. Section 108.1.5 paragraph 11 is amended to read:

11. Any portion of a building remains on a site after the demolition, destruction or reasonable cessation of construction activity of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

9. Section 110.1 is amended to read:

110.1 General. The code official may order the owner of any premises upon which is located any structure, which in the code official's judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than one years, the code official may order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

10. X Section 111.1 is amended to read:

111.1 Application for Appeal. Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the city council, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

11. X Sections 111.2 through 111.8 are deleted.

12. X **Section 112.4** is amended to read:

112.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable in accordance with either a misdemeanor or civil infraction subject to prosecution as set forth herein.

13. X **Section 302.4** is amended to read:

302.4 Weeds. All rubbish and weeds which constitute a fire or health hazard shall be removed from all land within the city. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

14. **Section 304.3** is amended to read:

304.3 Premises identification. Building shall have approved address numbers placed in a position to be plainly eligible and visible from the street or road fronting the property. Numbers shall be not less than 6 inches in height with a stroke width of not less than 0.5 inches and shall be placed a minimum of 4 feet above finished grade.

15. X **Section 302.10** is added to read:

302.10 Motorized/Non-Motorized Campers. No motorized or non-motorized camper, camper shell, camper apron, or camper trailer shall be parked, kept, or stored unenclosed on any premises for a period exceeding 90 days.

16. X **Section 304.14** Insert: [May 1] [September 30]

17. **Section 308** is deleted in its entirety.

18. **Section 602.3** Insert: [October 1] [April 30]

19. Section 602.4 Insert: [October 1] [April 30]

15.04.030: CRIMINAL VIOLATION; PENALTY; CIVIL ENFORCEMENT:

A. Any person, firm, association, or corporation that fails to comply with or violates any of these regulations or adopted codes shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for a period not to exceed six (6) months, or both. Each day that said violation continues shall be considered a separate offense.

B. Appropriate actions and proceedings at law or in equity may be instituted by the city of Ketchum to restrain or abate violations of this chapter or adopted codes, or compel compliance herewith, or to prevent illegal construction or occupancy of any buildings, structures, or premises in violation of this chapter or adopted codes together with appropriate damages therefor. These remedies shall be cumulative and in addition to all other legal remedies and penalties provided by law. (Ord. 1126, 2014, Ord. 1217, 2021)

EXHIBIT B

Chapter 15.08 FIRE CODE

15.08.010: ADOPTION OF CODE:

A certain document, one copy of which is available for review in city hall of the City of Ketchum, being marked and designated as the International Fire Code, 2018 edition, including appendix chapters B, C, D, E and F published by the International Code Council, be and is hereby adopted as the fire code of the City of Ketchum, in the State of Idaho, regulating and governing the safeguarding of life and property from fire, explosions and hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code on file in the office of the City Clerk in the City of Ketchum are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

15.08.020: CHAPTER 1 SCOPE AND ADMINISTRATION AMENDMENTS:

A. Section 109.1: Said international fire code is hereby amended by deleting section 109.1 in its entirety and adopting a new section 109.1, as follows:

109.1 Appeals. To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five (5) members who are qualified by experience and training to pass judgment upon pertinent matters. The fire chief shall be an *ex officio* member and shall act as secretary of the board. The board of appeals shall be appointed by the city council and hold office at their pleasure. All appeals from a decision of the fire chief shall be made by the aggrieved party to the board of appeals by delivering a copy of said appeal to the Ketchum City Clerk in writing within fifteen (15) days of the date of notification of the decision by the fire chief to the aggrieved party. Said written notice of appeal shall contain a written statement of the decision being appealed and the basis of the appeal. The board of appeals shall hold a due process hearing and make its decision with written findings of fact and conclusions of law within thirty (30) days from the date that the notice of appeal is filed. The fire chief, fire code official or any party aggrieved by decision of the board of appeals shall file an appeal to the Ketchum City Council by delivering a written notice of appeal to the Ketchum City Clerk within fifteen (15) days of the date of notification of a decision of the board of appeals. The Ketchum City Council shall hear the appeal based on the record before the board of appeals and shall hold a due process hearing and render its decision with written findings of fact and conclusions of law within sixty (60) days of the date of the filing of the notice of appeal. Any party aggrieved by the decision of the Ketchum City Council shall file an appeal with a court of competent jurisdiction within twenty-eight (28) days of notification of the decision by the Ketchum City Council. Any decision not appealed within the time periods set forth herein shall be final and not subject to review.

B. Section 109.4: Said international fire code is hereby amended by adding a new section 109.4 as follows:

109.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation

of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.4.1 Abatement of Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

C. Section 106.1: Said international fire code is hereby amended by deleting section 106.1 in its entirety and adopting a new section 106.1, as follows:

106.1 Plan Check Fees, Permit Fees, Inspection And Re-Inspection Charges, Fee For Use Of Fire Equipment, And Other Fees And Charges.

1. For every permit issued under the official fire code of the City of Ketchum, Idaho, as amended, a fee therefore shall be charged by and paid in advance to the fire department.
2. For every initial plan check for issuance of a permit by the fire department, a fee therefore shall be paid to the fire department.
3. For every inspection and test of fire extinguishing systems or equipment by the fire department, a fee therefore shall be paid to the fire department.
4. For each additional plan check for issuance of a permit, inspection and/or test of any system by the fire department, an additional fee shall be paid to the fire department.
5. For every fire clearance certificate issued by the fire department, a fee therefore shall be paid to the fire department.
6. For use of fire department fire equipment and/or use of fire department personnel, a fee therefore shall be paid to the fire department.
7. For any checks, inspections or tests of systems or structures that must be completed on the building site, the person seeking said check, inspection or test shall schedule with the city of Ketchum fire department for such check, inspection or test at least forty-eight (48) hours prior to the described time for said check, inspection or test.
8. The City of Ketchum Fire Department, upon payment of fees as set forth in the City of Ketchum Fire Department fee schedule, and scheduling of, shall check, inspect and/or test the system and/or premises at the next possible opportunity arising during any weekday from nine o'clock A.M. to five o'clock P.M. The City of Ketchum Fire Department shall, prior to the check, inspection or test, give notice to the applicant of when the check, inspection and/or test of the system or premises will take place.
9. The applicant or an authorized agent shall be at the site at the time of any test of systems or structures that must be completed on the building site. In the event the applicant, or an authorized

agent, is not at the building site at the specified time, the initial inspection fee may be forfeited and a new application, with an additional initial fee, may be required before the check, inspection and/or test of the system or premises will take place.

10. Fees to be charged for the services set forth above including fees for all permits, plan checks, certificates, and for use of fire department fire equipment and fire department personnel shall be as set by resolution of the Ketchum City Council for the city of Ketchum Fire Department fee schedule.

15.08.030: CHAPTER 5 FIRE SERVICE FEATURES AMENDMENTS:

A. Section 505.1: Said international fire code is hereby amended by adding new section 505.1 as follows:

505.1 Physical Addresses. Actual address numbers for all buildings and individual units in multi-unit buildings shall be issued by the City of Ketchum Addressing Officer and approved by the fire code official. Number shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of a ½ inch (12.7 mm). Actual address numbers and letters shall be located so that the bottom of the letters or numbers is a minimum of 48 inches above final grade.

15.08.040: CHAPTER 6 BUILDING SERVICES AND SYSTEMS AMENDMENTS:

A. Sections 606: Said International Fire Code is hereby amended by adding new sections 606.8.5 as follows:

606.8.5 Elevator Emergency Communication

All new buildings including residential structures containing an elevator in which a building attendant (building employee, watchman, etc.) is not continuously available to take action when the required emergency signal is operated, the elevator shall be provided with a means within the car for communicating with or signaling to a continuously monitored service which is capable of taking appropriate action when a building attendant is not available in accordance with the American Society of Mechanical Engineers (ASME) A17.1.

15.08.050: CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS AMENDMENTS:

A. Section 903: Said International Fire Code is hereby amended by deleting section 903 in its entirety and adopting a new section 903, as follows:

Section 903 Automatic Sprinkler Systems.

903 An approved fire sprinkler system shall be installed throughout all new buildings with 6,000 or more square feet of floor area including basements and garages or as contained in the following chapter. Partially fire sprinklered buildings are not allowed in the City of Ketchum. For purposes of

this chapter, fire walls shall not define separate buildings.

903.1 General.

Automatic sprinkler systems shall comply with this section.

903.1.1 Alternative Protection.

Alternative automatic fire-extinguishing systems complying with section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the fire code official.

903.2 Where Required.

Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in sections 903.2.1 through 903.2.12.

Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with section 707 of the international building code or not less than 2-hour horizontal assemblies constructed in accordance with section 711 of the international building code, or both.

903.2.1 Group A.

An automatic sprinkler system shall be provided throughout buildings - used as group A occupancies as provided in this section. For group A-1, A-2, A-3 and A-4 occupancies, the automatic sprinkler system shall be provided throughout the -building where the group A-1, A-2, A-3 or A-4 occupancy is located. - For group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in section 903.2.1.5.

903.2.1.1 Group A-1.

An automatic sprinkler system shall be provided for group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2.

An automatic sprinkler system shall be provided for group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464 m²).
2. The fire area has an occupant load of 100 or more.

3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.3 Group A-3.

An automatic sprinkler system shall be provided for group A-3 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.4 Group A-4.

An automatic sprinkler system shall be provided for group A-4 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

903.2.1.5 Group A-5.

An automatic sprinkler system shall be provided for group A-5 occupancies in the following areas: concession stands, retail areas, press boxes and other accessory use areas in excess of 1,000 square feet (93 m²).

903.2.2 Ambulatory Care Facilities.

An automatic sprinkler system shall be installed throughout the entire floor containing an ambulatory care facility where either of the following conditions exist at any time:

1. Four or more care recipients are incapable of self-preservation, whether rendered incapable by staff or staff has accepted responsibility for care recipients already incapable.
2. One or more care recipients that are incapable of self-preservation are located at other than the level of exit discharge serving such a facility.

In buildings where ambulatory care is provided on levels other than the level of exit discharge, an automatic sprinkler system shall be installed throughout the entire floor where such care is provided as well as all floors below, and all floors between the level of ambulatory care and the nearest level of exit discharge, including the level of exit discharge.

903.2.3 Group E.

An automatic sprinkler system shall be provided for group E occupancies as follows:

1. Throughout all group E fire areas greater than 6,000 square feet (557 m²) in area.
2. Throughout every portion of educational buildings below the lowest level of exit discharge serving that portion of the building.

Exception: An automatic sprinkler system is not required in any area below the lowest level of exit discharge serving that area where every classroom throughout the building has at least one exterior exit door at ground level.

903.2.4 Group F-1.

An automatic sprinkler system shall be provided throughout all buildings containing a group F-1 occupancy where one of the following conditions exists:

1. A group F-1 fire area exceeds 6,000 square feet (557 m²).
2. A group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all group F-1 fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).
4. A group F-1 occupancy used for the manufacture of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

903.2.4.1 Woodworking Operations.

An automatic sprinkler system shall be provided throughout all group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232 m²) which generate finely divided combustible waste or which use finely divided combustible materials.

903.2.5 Group H.

Automatic sprinkler systems shall be provided in high-hazard occupancies as required in sections 903.2.5.1 through 903.2.5.3.

903.2.5.1 General.

An automatic sprinkler system shall be installed in group H occupancies.

903.2.5.2 Group H-5 Occupancies.

An automatic sprinkler system shall be installed throughout buildings containing group H-5 occupancies. The design of the sprinkler system shall not be less than that required under the international building code for the occupancy hazard classifications in accordance with table 903.2.5.2.

Where the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

**TABLE 903.2.5.2
GROUP H-5 SPRINKLER DESIGN CRITERIA**

Location	Occupancy Hazard Classification
Fabrication areas	Ordinary hazard group 2
Service corridors	Ordinary hazard group 2

Storage rooms without dispensing	Ordinary hazard group 2
Storage rooms with dispensing	Extra hazard group 2
Corridors	Ordinary hazard group 2

903.2.5.3 Pyroxylin Plastics.

An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

903.2.6 Group I.

An automatic sprinkler system shall be provided throughout buildings with a group I fire area.

Exceptions:

1. An automatic sprinkler system installed in accordance with section 903.3.1.2 shall be permitted in group I-1 facilities.
2. An automatic sprinkler system installed in accordance with section 903.3.1.3 shall be allowed in group I-1 facilities when in compliance with all of the following:
 - 2.1. A hydraulic design information sign is located on the system riser;
 - 2.2. Exception 1 of section 903.4 is not applied; and
 - 2.3. Systems shall be maintained in accordance with the requirements of section 903.3.1.2.
3. An automatic sprinkler system is not required where day care facilities are at the level of exit discharge and where every room where care is provided has at least one exterior exit door.
4. In buildings where group I-4 day care is provided on levels other than the level of exit discharge, an automatic sprinkler system in accordance with section 903.3.1.1 shall be installed on the entire floor where care is provided and all floors between the level of care and the level of exit discharge, all floors below the level of exit discharge, other than areas classified as an open parking garage.

903.2.7 Group M.

An automatic sprinkler system shall be provided throughout buildings containing a group M occupancy where one of the following conditions exists:

1. A group M fire area exceeds 6,000 square feet (557 m²).
2. A group M fire area is located more than three stories above grade plane.
3. The combined area of all group M fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).
4. A group M occupancy used for the display and sale of upholstered furniture or mattresses

exceeds 5,000 square feet (464 m²).

903.2.7.1 High-Piled Storage.

An automatic sprinkler system shall be provided as required in chapter 32 in all buildings of group M where storage of merchandise is in high-piled or rack storage arrays.

903.2.8 Group R.

An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a group R fire area. All new construction of one and two family dwellings and townhome buildings of 6000 square feet or greater shall have an approved automatic fire sprinkler system installed. Where an addition or alteration to an existing building bring the total area of the building over 6000 square feet, only the addition or altered area of the building must have an approved automatic fire sprinkler system. Nothing in this chapter shall prevent any person from voluntarily installing an automatic fire sprinkler system.

903.2.8.1-903.2.8.3 Group R-3 Or R-4 Congregate Residences.

An automatic sprinkler system installed in accordance with section 903.3.1.3 shall be permitted in group R-3 or R-4 congregate living facilities with 16 or fewer residents.

903.2.8.4 Care Facilities.

An automatic sprinkler system installed in accordance with section 903.3.1.3 shall be permitted in care facilities with 5 or fewer individuals in a single-family dwelling.

903.2.9 Group S-1.

An automatic sprinkler system shall be provided throughout all buildings containing a group S-1 occupancy where one of the following conditions exists:

1. A group S-1 fire area exceeds 6,000 square feet (557 m²).
2. A group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all group S-1 fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).
4. A group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m²).
5. A group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

903.2.9.1 Repair Garages.

An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with section 406.8 of the international building code, as shown:

1. Buildings having two or more stories above grade plane, including basements, with a fire area containing a repair garage exceeding 6,000 square feet (557 m²).
2. Buildings no more than one story above grade plane, with a fire area containing a repair garage exceeding 6,000 square feet (557 m²).

3. Buildings with repair garages servicing vehicles parked in basements.
4. A group S-1 fire area used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m²).

903.2.9.2 Bulk Storage Of Tires.

Buildings and structures where the area for the storage of tires exceeds 10,000 cubic feet (276 m³) shall be equipped throughout with an automatic sprinkler system in accordance with section 903.3.1.1.

903.2.10 Group S-2 Enclosed Parking Garages.

An automatic sprinkler system shall be provided throughout buildings classified as enclosed parking garages in accordance with section 406.6 of the international building code as follows:

1. Where the fire area of the enclosed parking garage exceeds 6,000 square feet (557 m²); or
2. Where the enclosed parking garage is located beneath other groups.

903.2.10.1 Commercial Parking Garages.

An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m²).

903.2.11 Specific Buildings Areas And Hazards.

In all occupancies other than group U, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in sections 903.2.11.1 through 903.2.11.6.

903.2.11.1 Stories Without Openings.

An automatic sprinkler system shall be installed throughout all stories, including basements, of all buildings where the floor area exceeds 1,500 square feet (139.4 m²) and where there is not provided at least one of the following types of exterior wall openings:

1. Openings below grade that lead directly to ground level by an exterior stairway complying with section 1009 or an outside ramp complying with section 1010. Openings shall be located in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side. The required openings shall be distributed such that the linear distance between adjacent openings does not exceed 50 feet (15 240 mm).
2. Openings entirely above the adjoining ground level totaling at least 20 square feet (1.86 m²) in each 50 linear feet (15 240 mm), or fraction thereof, of exterior wall in the story on at least one side. The required openings shall be distributed such that the linear distance between adjacent openings does not exceed 50 feet (15 240 mm). The height of the bottom of the clear opening shall not exceed 44 inches (1118 mm) measured from the floor.

903.2.11.1.1 Opening Dimensions And Access.

Openings shall have a minimum dimension of not less than 30 inches (762 mm). Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

903.2.11.1.2 Openings On One Side Only.

Where openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet (22 860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system or openings as specified above shall be provided on at least two sides of the story.

903.2.11.1.3 Basements.

Where any portion of a basement is located more than 75 feet (22 860 mm) from openings required by section 903.2.11.1, or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams, the basement shall be equipped throughout with an approved automatic sprinkler system.

903.2.11.2 Rubbish And Linen Chutes.

An automatic sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes shall have additional sprinkler heads installed at alternate floors and at the lowest intake. Where a rubbish chute extends through a building more than one floor below the lowest intake, the extension shall have sprinklers installed that are recessed from the drop area of the chute and protected from freezing in accordance with section 903.3.1.1. Such sprinklers shall be installed at alternate floors beginning with the second level below the last intake and ending with the floor above the discharge. Chute sprinklers shall be accessible for servicing.

903.2.11.3 Buildings 55 Feet Or More In Height.

An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of 30 or more that is located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structures.
3. Occupancies in group F-2.

903.2.11.4 Ducts Conveying Hazardous Exhausts.

Where required by the international mechanical code, automatic sprinklers shall be provided in ducts conveying hazardous exhaust, flammable or combustible materials.

Exception: Ducts where the largest cross-sectional diameter of the duct is less than 10 inches (254 mm).

903.2.11.5 Commercial Cooking Operations.

An automatic sprinkler system shall be installed in a commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with section 904.

903.2.11.6 Other Required Suppression Systems.

In addition to the requirements of section 903.2, the provisions indicated in table 903.2.11.6 also require the installation of a fire suppression system for certain buildings and areas.

**TABLE 903.2.11.6
ADDITIONAL REQUIRED FIRE SUPPRESSION SYSTEMS**

Section	Subject
914.2.1	Covered and open mall buildings
914.3.1	High rise buildings
914.4.1	Atriums
914.5.1	Underground structures
914.6.1	Stages
914.7.1	Special amusement buildings
914.8.2	Airport traffic control towers
914.8.3, 914.8.6	Aircraft hangars
914.9	Flammable finishes
914.10	Drying rooms
914.11.1	Ambulatory care facilities
1029.6.2.3	Smoke-protected assembly seating
1103.5.1	Existing Group A occupancies
1103.5.2	Pyroxylin plastic storage in existing buildings
1103.5.3	Existing group I-2 occupancies
2108.2	Dry cleaning plants
2108.3	Dry cleaning machines
2309.3.1.5.2.	Hydrogen motor fuel-dispensing area canopies
2404.2	Spray finishing in group A, E, I or R
2404.4	Spray booths and spray rooms
2405.2	Dip-tank rooms in group A, I or R
2405.4.1	Dip tanks
2405.9.4	Hardening and tempering tanks
2703.10	HPM facilities
2703.10.1.1	HPM work station exhaust

2703.10.2	HPM gas cabinets and exhausted enclosures
2703.10.3	HPM exit access corridor
2703.10.4	HPM exhaust ducts
2703.10.4.1	HPM noncombustible ducts
2703.10.4.2	HPM combustible ducts
2807.3	Lumber production conveyor enclosures
2808.7	Recycling facility conveyor enclosures
3006.1	Class A and B ovens
3006.2	Class C and D ovens
Table 3206.2	Storage fire protection
3206.4	Storage
5003.8.4.1	Gas rooms
5003.8.5.3	Exhausted enclosures
5004.5	Indoor storage of hazardous materials
5005.1.8	Indoor dispensing of hazardous materials
5104.4.1	Aerosol warehouses
5106.3.2	Aerosol display and merchandising areas
5204.5	Storage of more than 1,000 cubic feet of loose combustible fibers
5306.2.1	Exterior medical gas storage room
5306.2.2	Interior medical gas storage room
5306.2.3	Medical gas storage cabinet
5606.5.2.1	Storage of smokeless propellant
5606.5.2.3	Storage of small arms primers
5704.3.7.5.1	Flammable and combustible liquid storage rooms
5704.3.8.4	Flammable and combustible liquid storage warehouses
5705.3.7.3	Flammable and combustible liquid group H-2 or H-3 areas
6004.1.2	Gas cabinets for highly toxic and toxic gas

6004.1.3	Exhausted enclosures for highly toxic and toxic gas
6004.2.2.6	Gas rooms for highly toxic and toxic gas
6004.3.3	Outdoor storage for highly toxic and toxic gas
6504.1.1	Pyroxylin plastic storage cabinets
6504.1.3	Pyroxylin plastic storage vaults
6504.2	Pyroxylin plastic storage and manufacturing

For SI: 1 cubic foot = 0.023 m³.

903.2.12 During Construction.

Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with section 3313.

903.3 Installation Requirements.

Automatic sprinkler systems shall be designed and installed in accordance with sections 903.3.1 through 903.3.7.

903.3.1 Standards.

Sprinkler systems shall be designed and installed in accordance with section 903.3.1.1, 903.3.1.2 or 903.3.1.3 and other chapters of this code, as applicable.

903.3.1.1 NFPA 13 Sprinkler Systems.

Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in section 903.3.1.1.1.

903.3.1.1.1 Exempt Locations.

Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.

5. Fire service access elevator machine rooms and machinery spaces.

6. Machine rooms and machinery spaces associated with occupant evacuation elevators designed in accordance with section 3008 of the international building code.

903.3.1.1.2 Bathrooms

In Group R occupancies, sprinklers shall not be required in bathrooms that do not exceed 55 square feet in area and are located within individual dwelling units or sleeping units, provided that walls and ceilings, including the walls and ceilings behind a shower enclosure or tub, are not combustible or limited combustible materials with a 15-minute thermal barrier rating.

903.3.1.2 NFPA 13R Sprinkler Systems.

Automatic sprinkler systems in group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R.

903.3.1.2.1 Balconies And Decks.

Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

903.3.1.2.3 Attics

Attics that are used or intended for living purposes or storage shall be protected by an automatic sprinkler system.

903.3.1.3 NFPA 13D Sprinkler Systems.

Automatic sprinkler systems installed in one and two-family dwellings, group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. All buildings protected by an 13D automatic fire sprinkler system shall cover all areas of the structure including attached garages and basements. The City of Ketchum does not allow buildings to be partially covered by automatic fire sprinklers systems.

903.3.2 Quick-Response And Residential Sprinklers.

Where automatic sprinkler systems are required by this code, quick-response or residential automatic sprinklers shall be installed in the following areas in accordance with section 903.3.1 and their listings:

1. Throughout all spaces within a smoke compartment containing care recipient sleeping units in group I-2 in accordance with the international building code.
2. Throughout all spaces within a smoke compartment containing treatment rooms in ambulatory care facilities.
3. Dwelling units and sleeping units in group I-1 and R occupancies.

4. Light-hazard occupancies as defined in NFPA 13.

903.3.3 Obstructed Locations.

Automatic sprinklers shall be installed with due regard to obstructions that will delay activation or obstruct the water distribution pattern. Automatic sprinklers shall be installed in or under covered kiosks, displays, booths, concession stands or equipment that exceeds 4 feet (1219 mm) in width. Not less than a 3-foot (914 mm) clearance shall be maintained between automatic sprinklers and the top of piles of combustible fibers.

Exception: Kitchen equipment under exhaust hoods protected with a fire-extinguishing system in accordance with section 904.

903.3.4 Actuation.

Automatic sprinkler systems shall be automatically actuated unless specifically provided for in this code.

903.3.5 Water Supplies.

Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the international plumbing code.

903.3.5.1 Domestic Services.

Where the domestic service provides the water supply for the automatic sprinkler system, the supply shall be in accordance with this section.

903.5.2 Residential combination services.

A single combination water supply shall be allowed provided that the domestic demand is added to the sprinkler demand as required by NFPA 13R.

903.3.6 Hose Threads.

Fire hose threads and fittings used in connection with automatic sprinkler systems shall be as prescribed by the fire code official.

903.3.7 Fire Department Connections.

Fire department connections (FDC) for automatic sprinkler systems shall be 2 ½ inch, female, National Hose Thread (NHT) connection. The location of the fire department connection shall be prescribed by the Fire Code Official prior to construction of the fire sprinkler system.

903.3.8 Limited Area Sprinkler Systems.

Limited area sprinkler systems serving fewer than 20 sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:

1. Valves shall not be installed between the domestic water riser control valve and the sprinklers.

Exception: An approved indicating control valve supervised in the open position in accordance with section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13, NFPA 13D or NFPA 13R.

903.4 Sprinkler System Supervision And Alarms.

All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Exceptions:

1. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
2. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
3. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Monitoring.

Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved supervising station or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

903.4.2 Alarms.

An approved audible device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

903.4.3 Floor Control Valves.

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings.

903.5 Testing And Maintenance.

Sprinkler systems shall be tested and maintained in accordance with section 901.

903.6 Where Required In Existing Buildings And Structures.

An automatic sprinkler system shall be provided in existing buildings and structures where required in chapter 11.

903.7 Construction Documents.

One (1) electronic copy and two (2) paper copies of construction documents, including hydraulic calculations and device specifications, along with a Ketchum fire department fire sprinkler plan review form for all fire sprinkler systems shall be submitted for review and approval prior to system installation. Fire department review and approval shall normally be completed within fifteen (15) calendar days. Exceptions to the fifteen (15) calendar day review may be made where in the opinion of the fire chief, the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval and a permit from the fire department is obtained.

903.8 Hydrostatic Testing of New Fire Sprinkler Systems.

All new sprinkler system shall be hydrostatically tested to 200 psi for two hours prior to having any portion of the fire sprinkler piping covered. An additional hydrostatic test of 200 psi for two ours shall be conducted on the Final Building Inspection prior to approval of the system.

B. Section 907: Said International Fire Code is hereby amended by deleting section 907.1.1 in its entirety and adopting a new section 907.1.1, further amended by adopting a new section 907.2.24, a new section 907.10 and adopting a new section 907.11 as follows:

907.1.1 Construction Documents.

A Ketchum fire department fire alarm installation permit application, one (1) electronic copy and two (2) paper copies of construction documents and fire alarm shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation. Fire department review and approval shall normally be completed within fifteen (15) calendar days. Exceptions to the fifteen (15) calendar day review may be made where in the opinion of the fire code official, the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval and a permit from the fire department is obtained. Construction documents for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the international building code, and relevant laws, ordinances, rules and regulations, as determined by the fire code official.

907.2.24 City of Ketchum Required Installations.

Fire alarm systems shall be installed as required by the International Fire Code as adopted time to time by City of Ketchum ordinance. Additionally, an approved monitored automatic fire alarm system in compliance with the currently adopted International Fire Code and NFPA 72 shall be installed in the following locations:

Notwithstanding the previous installation requirements, an approved monitored automatic fire alarm system shall be installed in the following locations;

(a) In all zoning districts every new building constructed for nonresidential occupancy, including

buildings with sleeping quarters as a secondary use.

(b) In all zoning districts every new building constructed for any residential use, and over 4,000 square feet in floor area, and every newly constructed hotel, motel, apartment house or lodge of any size.

(c) In all zoning districts every existing dwelling or commercial unit within a building that is altered or changed, when such modifications exceed fifteen thousand dollars (\$15,000.00) in value. (Cosmetic modifications such as painting, decorative window and floor coverings and furniture shall not be considered as contributing to the fifteen-thousand-dollar (\$15,000.00) value limit). Said systems must provide fire detection for the entire building, including the existing and new construction area, when the alteration or change affects more than fifty (50) percent of the units in that building. Changes to an existing fire alarm system shall meet current code requirements only when this section is applied unless as otherwise set forth in the 2015 International Fire Code.

Exception: A separate fire alarm system need not be installed in buildings which are protected throughout by an approved monitored fire sprinkler system conforming to NFPA standards 13, 13D or 13R and having a local alarm to notify all occupants.

Note: Group E, group I, group R-1 and group R-2 occupancies are excluded from this exception.

907.8.5 Inspection, Testing And Maintenance.

1. The building owner shall be responsible to maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing such systems or as approved by the Fire Code Official. An annual inspection shall be performed on every required fire alarm system including those in residential occupancies. Said inspection shall be performed to determine that the operation of the alarm system is in accordance with the manufacturer's specifications, design and performance criteria. Required fire alarm systems shall be tested in accordance with testing procedures adopted by the National Fire Protection Association Chapter 72. The owner of any alarm system, which is shown by such test not to be one hundred (100) percent operational, shall make such repairs as indicated by the test results. If a defect or malfunction is not corrected at the conclusion of system inspection, test, or maintenance, the system owner or the owner's designated representative shall be informed of the impairment in writing within 24 hours (NFPA72 14.2.1.2.3) Service personnel shall not deem the system as passing the annual inspection until all repairs are made.

2. A copy of such test and inspection report shall be maintained on the premises and reported to the Fire Code Official who may request inspection details.

3. A maintenance contract may be required by the Fire Code Official for alarm systems subject to false alarms in excess of section 907.2 of this section 15.08.020. The maintenance contract shall provide for the following minimum services:

(a) Repairs which may be necessary from time to time to maintain the reliability and integrity of the alarm system.

(b) Operational testing of system components shall occur on at least a semi-annual basis, including one hundred (100) percent of all peripheral devices over a period of one (1) year.

5. Trouble calls or service calls regarding an alarm system shall be made to an alarm company. Trouble or service calls made by the building owner or Ketchum Fire Code official shall be responded to within a reasonable time period as determined by the Fire Code Official but in no case, shall the response time exceed twenty-four (24) hours. *Plans for new fire alarm system submitted for permitting shall include the plan to comply with this twenty-four (24) hour response standard.* If repair to a required fire alarm does not occur within seventy-two (72) hours after the initial request, the Fire Code Official in accordance with the International Fire Code may require a change in operation, or place specific restrictions or conditions on the owner including restrictions relating to the use of the building until such time as repairs are completed. Such special restrictions shall be made with consideration of the relative degree of hazard imposed by the nature of the alarm system's condition, and with respect to the nature of the building and its use.

6. Upon request of a Ketchum Fire Code Official, a responsible party shall respond to the premises for the purpose of permitting access to determine the cause of the alarm, secure the property, or reset the alarm system. The city of Ketchum, Idaho shall not be held liable for any loss due to the failure of the responsible party to respond to the premises when requested to do so by a responding officer. Responsible parties shall respond in an expedient manner and shall arrive at the premises within one (1) hour of notification. For purposes of this section a responsible party shall be:

- (a) The owner of the property or business.
- (b) The manager or authorized agent.
- (c) The tenant.
- (d) An employee of an alarm company under contract providing for such services.

7. It shall be the responsibility of the property, or building or system owner to provide for the required response in accordance with the above section, and to ensure that the current information is provided to the respective alarm receiving station, including a list of responsible parties, phone numbers and current street and mailing addresses, locations of key boxes, sprinkler valves and alarm panels.

8. Operational testing of alarm systems shall be made only after notification has been given to the appropriate alarm monitoring facility. It shall be the responsibility of the person conducting the tests to advise tenants, building management and those normally responsible for and occupying the premises of the test in order to prevent unnecessary calls to the Ketchum fire department regarding audible signals.

9. Fire department notifications. The fire department duty officer shall be notified immediately whenever any required fire alarm system is placed temporarily out of service and upon restoration of service. (Review this for practicality)

907.10 Definitions.

Alarm Signal is an audible or visual signal, or both, indicating the existence of an emergency fire condition. Audible devices may be bells, horns, chimes, speakers or similar devices. Voice alarms and their messages shall be approved by the fire code official.

Alarm System is a combination of approved compatible devices with the necessary electrical interconnection and energy to produce an alarm signal in the event of fire or system activation.

Annunciator is equipment which indicates the zone or area of a building from which an alarm has been initiated, the location of an alarm initiating device or the operational condition of the circuits of the system.

Compatible means tested by a nationally recognized testing agency to function properly with the control unit monitoring system.

Control Unit is a unit comprising the controls, relays, switches and associated circuits necessary to (1) distribute power to a fire alarm system, (2) receive signals from alarm initiating devices and transmit them to alarm signaling devices and accessory equipment and, (3) electrically supervise the system circuitry.

False Alarms - An alarm signal necessitating response by the Ketchum fire department where an emergency does not exist. False alarms shall be classified as follows:

1. Nuisance Alarms - Alarms caused by factors which the alarm system is not intended to be activated by. This category shall include, but is not limited to, alarms caused by cooking smoke, inadequate housekeeping, construction dusts, and related building operations causing alarms.

2. Intentional Alarms - Alarm system activation or alarm signal transmission by any person knowingly, willingly, or recklessly when no emergency exists. This category shall include, but is not limited to, the activation of manual fire alarm pull stations; discharge of fire-extinguishing equipment or appliances; or activation of an alarm system in violation of orders issued under section 109.3 of this code.

3. Equipment Malfunction - An alarm caused by the failure of an alarm system or failure of peripheral equipment, causing or allowing an alarm signal transmission.

4. Undetermined Cause - An alarm system activation or transmission of an alarm signal for which the cause cannot or has not been determined by responding personnel and for which there is no apparent cause and alarms due to failure to maintain alarm systems in violation of orders issued under provisions of this code.

5. Good Intent - This category shall include, but is not limited to, alarms transmitted by an individual believing an emergency condition exists. Such alarms under this category shall not be held to constitute a violation of this code.

Initiating Device - Any manually or automatically operated equipment which, when activated, initiates an alarm through an alarm signaling device.

Inspection Contract - An agreement in writing with an alarm company to perform testing and inspection of a required fire alarm system for a certain contractual period of time. Such contract may include repair, installation and/or relocation of equipment, as necessary.

Maintenance Contract - An agreement in writing with an alarm company to perform repair,

service and maintenance. Maintenance contracts may be required at the discretion of the fire code official for alarm systems shown to be subject to repeated false alarms. Such contract may include inspection, testing, installation and/or relocation of equipment, as necessary.

Required Fire Alarm - A monitored fire or smoke detection system required by this code.

Signaling Device is equipment that produces an approved alarm signal.

Smoke Detector is an approved device which senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

Voice Over IP (VOIP) is a methodology and group of technologies for the delivery of voice communications and multimedia sessions over internet protocol (IP) networks, such as the internet. VOIP networks are not approved methods for transmitting alarm signals to a monitoring station.

Zone is a building or defined area of a building as approved by the fire code official for purposes of identifying locations.

907.11 Performance Standards.

1. All required supervised alarm systems shall be afforded a thirty (30) day adjustment period commencing with the date of activation or issuance of a certificate of occupancy in order that the system may be brought to maximum efficiency. During that period of time, no penalty shall be assessed against the owner of the alarm system for system malfunctions. Intentionally caused false alarms, unauthorized service and tampering are not subject to the thirty (30) day grace period.

2. Alarm systems shall be allowed no more than:

2.1. Three (3) false alarms in a thirty (30) day period.

2.2. Six (6) false alarms in a one hundred eighty (180) day period.

2.3. Nine (9) false alarms in a three hundred sixty (360) day period.

The owner of any alarm system found to have a false alarm rate in excess of the foregoing number of allowable alarms per specified time period, shall receive written notice of violation and the fire code official may require compliance with section 202 of this code, Fire Watch.

3. After the adjustment period, the owner of an alarm system transmitting a false alarm, upon the issuance of a written order by the responding officer or his agent, shall be required to do one and/or more of the following:

3.1. Show a material change in employee training. Such training may be conducted by a representative of the owner or by or in conjunction with a representative of an alarm company.

3.2. Show written proof that the alarm system has been inspected and tested by an alarm company and detected faults have been repaired.

3.3. Show written proof that peripheral equipment has been relocated in accordance with applicable design standards and applicable codes by an alarm company. It is understood, however, that none of the aforementioned requirements shall pertain to a situation where a person reported or transmitted an alarm with good intent as set forth in section 907.10 of this code, the definition of false alarms.

4. Any alarm system owner having complied with orders issued as required by this section, and whose alarm system is still subject to repeated false alarms may be required to participate in a discussion with a representative from the fire department, the owner of the alarm system or his agent, and the alarm company responsible for the installation and/or service and/or the maintenance of the alarm system, for the purpose of determining the cause(s) of and solutions(s) to the problem(s). Orders may be issued to their alarm system owner to facilitate the resolution of the false alarm problem under the foregoing section of this code.

15.08.060: CHAPTER 56 EXPLOSIVES AND FIREWORKS AMENDMENTS:

Chapter 56: Said International Fire Code is hereby revised by amending chapter 56, as follows:

A. 5601.1.3 Fireworks.

The possession, manufacture, storage, sale, handling and use of fireworks is prohibited other than non-aerial common fireworks as defined by Idaho Code title 39 chapter 26. The possession, storage or transport of any fireworks for the purpose of retail or wholesale sales in the city of Ketchum is prohibited. The possession, storage, use or transport of special fireworks as defined by Idaho Code title 39 chapter 26 or fireworks 1.3G requires a permit from the fire code official.

Section 5601.2.2 is deleted in its entirety and new section 5601.2.2 is added as follows:

- 1. Retail Sales Of Fireworks:** It shall be unlawful to import, export, possess for the purpose of sale, offer for sale, or sell any fireworks 1.3G, fireworks 1.4G or non-aerial common fireworks for any purpose within the city of Ketchum.
- 2.** The manufacture of fireworks within the city of Ketchum is prohibited.
- 3. Liability Of Parents Or Guardians:** The parents, guardians or other persons having custody or control of a minor shall be liable for damage caused by the use of fireworks by the minor.
- 4. Comply With Idaho State Fireworks Act:** It shall be the duty of every person to comply with all the provisions of chapter 26, title 39, Idaho Code, Idaho state fireworks act and of this code. Violation of the act or any provisions of this ordinance by the permittee, or by any of their agents, employees, or officers shall constitute a cause, in and of itself, to deny any subsequent application for a permit.

B. 5602 Definitions. The following definitions are added to section 5602:

Authority Having Jurisdiction is the fire chief, fire code official or officer of the fire department in charge.

Non-Aerial Common Fireworks means any fireworks such as ground spinners, fountains, sparklers, smoke devices or snakes designed to remain on or near the ground and not to travel

outside a fifteen (15) foot diameter circle or emit sparks or other burning material which land outside a twenty (20) foot diameter circle or above a height of twenty (20) feet. Non-aerial common fireworks do not include bottle rockets, firecrackers, jumping jacks, or similar products.

Wholesale means sale of fireworks to a retailer or wholesaler.

C. Section 5609 Temporary Storage of Consumer Fireworks is deleted in its entirety.

15.08.070: APPENDIX D AMENDMENTS:

I. Establishment And Duties Of The Fire Department:

1. The international fire code as adopted and amended herein shall be enforced by the fire department of the city of Ketchum and shall be operated under the supervision of the fire chief.

J. Definitions: Wherever the word "jurisdiction" is used in the international fire code, it is the city of Ketchum, Idaho. Where the party responsible for the enforcement of the international fire code is given the title of "fire code official", add the following definition: Fire code official is the fire chief for the fire department of the city of Ketchum, Idaho. Wherever the term "corporation counsel" is used, it shall mean the city attorney of the city of Ketchum, Idaho. (Ord. 1125, 2014)

15.08.080: NEW APPENDIX O FIRE PROTECTION CHARACTERISTICS ADOPTED:

That a new local appendix O, Fire Protection Characteristics, is adopted as follows:

Section 1. Exterior construction features

101. Exterior glazing

Exterior windows, window walls, and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20 minutes.

102. Vents

Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed 1/8", or shall be designed and approved to prevent flame or ember penetration into the structure.

103. Exterior Doors

Exterior doors shall be approved non-combustible construction, solid core wood not less than 1 3/4", or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with section 101

Exception: Vehicle access doors.

104. Gutters And Downspouts.

Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with an approved means to prevent the accumulation of leaves and debris in the gutter.

Section 2. Defensible Space Required

Defensible spaces are required in the City of Ketchum and shall be maintained in accordance with Section 2.

201. Fire Resistive Vegetation

Nonfire-resistive vegetation or growth shall be kept clear of buildings and structures, in such a manner as to provide a clear area for fire suppression operations.

202. Responsibility

Persons, owning leasing, controlling, operating, or maintaining buildings or structures are responsible for maintenance of defensible spaces. Maintenance of the defensible space shall include modifying or removing nonfire-resistive vegetation and keeping leaves, needles, and other dead vegetative material regularly removed from decks, roofs, gutters, and from around foundations of buildings and structures.

203. Trees

Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet. Tree crowns within 30 feet of any structure shall be pruned to remove limbs located less than 6 feet above the ground surface adjacent to the trees.

203.1 Chimney Clearance

Portions of tree crowns that extend to within 10 feet of the outlet of any chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet.

EXHIBIT C

ORDINANCE NO. 1217

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION, REPEALING CHAPTER 15.04, BUILDING CODES; ADOPTING A NEW CHAPTER 15.04, BUILDING CODES; REPEALING CHAPTER 15.08, FIRE CODES; ADOPTING A NEW CHAPTER 15.08, FIRE CODES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1217 of the City of Ketchum, Blaine County, Idaho, adopted on _____ 2021, is as follows:

SECTION 1. Amends Chapter 15.04, Building Codes, by repealing the existing Chapter 15.04, which contains local amendments to the 2012 International building code, residential code, energy code, existing building code, and property maintenance code, and replacing it with a new Chapter 15.04, Building Codes, which contains local amendments to the 2018 International Building, Residential, Energy Conservation, Swimming Pool and Spa, Existing Building and Property Maintenance codes as adopted by the state of Idaho.

SECTION 2. Amends Chapter 15.08, Fire Codes, by repealing the existing Chapter 15.08, which contains local amendments to the 2012 International Fire Code, and replacing it with a new Chapter 15.08, Fire Codes, which contains local amendments to the 2018 International Fire Code as adopted by the state of Idaho.

SECTION 3. Establishes a savings and severability clause.

SECTION 4. Established a repealer clause.

SECTION 5. Provides for publication by summary.

SECTION 6. Establishes an 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.

APPROVED:

Neil Bradshaw, Mayor

ATTEST:

Katrin Sharp, Deputy City Clerk



City of Ketchum

February 16th, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to:

Adopt the Findings of Fact, Conclusions of Law, and Order of Decision and the Master Record of Proceedings for the following applications regarding the PEG Ketchum Hotel:

- **Application for Floodplain Development Permit** **File No. P19-062**
- **Application for Lot Line Adjustment** **File No. P19-064**
- **Application for Planned Unit Development Conditional Use Permit** **File No. P19-063**
- **Application for Waiver** **File No. P20-069**

The complete Joint Master Record of Proceedings, including all exhibits presented at the February 1, 2021 hearing and all documents received to date, can be found at the following link:

<https://www.dropbox.com/sh/j22e7caksxq4yg/AAAUzPfjCDqrj1vcz167A5Aga?dl=0>

The Master Record of Proceedings index is attached as Attachment D.

Upon adopting the Findings of Fact, Conclusions of Law, and Order of Decision and the Master Record of Proceedings on this matter the record should be closed for the receipt of comment until notice is posted that these Applications are set for public hearing on Design Review.

Recommended motions:

“I move to adopt the Findings of Fact, Conclusions of Law, and Order of Decision for the following applications:

Application for Floodplain Development Permit, File No. P19-062, Application for Lot Line Adjustment: File No. P19-064, and Application for Planned Unit Development Conditional Use Permit combined with the Application for Wavier, Files No. P19-063 and File No. P20-069

And to adopt the Master Record of Proceedings for this matter.”

And

“I move to close the record for the receipt of comment on this matter until notice is posted that these Applications are set for public hearing on Design Review.”

Attachments:

- A. Findings of Fact, Conclusions of Law, and Order of Decision File No. P19-062
- B. Findings of Fact, Conclusions of Law, and Order of Decision File No. P19-064
- C. Findings of Fact, Conclusions of Law, and Order of Decision Files No. P19-063 and File No. P20-069
- D. Master Record of Proceedings

Attachment A. Findings of Fact, Conclusions of Law, and Order of Decision File No.
P19-062

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:)	FILE NO. P19-062
)	
PEG KETCHUM HOTEL, LLC)	FINDINGS OF FACT, CONCLUSIONS
)	OF LAW, AND ORDER OF DECISION
Applicant for)	
251 S. Main Street)	
Floodplain Development /)	
Waterways Design Review)	
)	

THIS ABOVE ENTITLED MATTER coming before the City Council of the City of Ketchum upon remand from the Planning and Zoning Commission’s recommendations issued on December 22, 2020 on remand for joint public hearing held February 1, 2021 continued to February 16, 2021 for consideration of this Findings of Fact, Conclusions of Law, and Order of Decision of the above referenced matters. The Applicant’s Design Review and Permit Conditions Acceptance Agreement applications were both tabled by the Planning and Zoning Commission subject to the City Council’s action on the above referenced Applications. The City Council having reviewed the entire record on remand and the record established in hearing on February 1, 2021 does hereby make and set forth the Record of Proceedings, Findings of Fact for all referenced matters as follows:

Floodplain Development Permit and Waterways Design Review

251 S. Main Street (Lots 3, 21, FR 22 Blk 82 N 10’ x 110’ of alley S 20’ x 230’ of alley, Ketchum Townsite), 260 E. River Street (Lot 2, Block 82, 10’ x 110’ of alley, Ketchum Townsite), and 280 E. River Street (Lot 1, Block 82, Ketchum Townsite)

The City Council having reviewed the entire record and provided notice and held a joint public hearing does hereby make and set forth these Findings of Fact, Conclusions of Law, and Order of Decision as follows:

I. RECORD OF PROCEEDINGS

The above-entitled matter has been heard by the City Council in conjunction with the accompanying PEG Ketchum Hotel, LLC PUD Project Master Plan together with the other following accompanying Applicant Applications:

- Planned Unit Development Conditional Use Permit File No. P19-063
- Lot Line Adjustment File No. P19-064
- Waiver File No. P20-069

The City Council has approved together with these Findings of Fact, Conclusions of Law, and Order of Decision that certain **Master Joint Hearings Compiled Record of Proceedings On Remand** for Files Nos. P19-062, P19-063, P19-064, P20-069 and P20-019 (the “Master Joint Hearings Record of Proceedings”) which is herein included by reference as if set forth at length.

PUBLIC NOTICES FOR HEARINGS ON REMAND:

Legal notice of the joint hearing before the City Council was published in the City’s newspaper of record and notice was mailed to adjoining landowners within 300’ was in compliance with the 15-day and 10-day notice requirements. Notice to neighbors and political subdivisions and publication in the *Idaho Mountain Express* occurred on January 13, 2021 with on-site posting on the subject premises on January 25, 2021, mailed to property owners and government subdivisions on January 13, 2021 and posted on the City’s website on January 25, 2021.

II. FINDINGS OF FACT

1. The original Findings of Fact Conclusions of Law and Decision were approved by the Planning and Zoning Commission (“Commission”) on August 12, 2019 (the “Original Findings”); and
2. Based upon a finding of a noticing error, on April 6, 2020 the Ketchum City Council moved to vacate the PEG Ketchum Hotel decisions and findings and remand subject Original Findings for this permit for additional process as necessary. Accordingly, reconfirmation of the past record is required as inadequate notice occurred with the Original Findings; and
3. The Planning and Zoning Commission on remand, subject to notice, held a joint hearing and received testimony and evidence in regards to the Floodplain Development Permit and Waterways Design Review and entered their Findings of Fact, Conclusions of Law and Recommendations to the City Council on December 22, 2020.

4. The City Council on Remand, subject to notice, held a joint hearing and received testimony and evidence in regards to the Floodplain Development Permit and Waterways Design Review and entered these Findings of Fact, Conclusions of Law, and Order of Decision.
5. The subject property, in particular the parcel addressed 251 S. Main Street, contains 100-year floodplain, floodway, and is adjacent to Trail Creek and therefore contains a regulated riparian zone. As such, the property is within the Floodplain Management Overlay with Floodplain, Floodway, and Waterways Design Review subdistricts. The southerly property boundary is the mean high-water mark on the north side of Trail Creek.
6. Pursuant to Zoning Code Title 17, Section 17.88.050(D)1, the administrator shall have the authority to consider and approve, approve with conditions, or deny applications for floodplain development permits and for waterways design review, but in accordance with 17.88.050(D)2 has the discretion to forward the application to the Planning and Zoning Commission for review during a noticed public meeting.
7. The subject parcels have previously been developed. No existing development encroaches into the riparian zone, floodplain, or floodway. Existing development consists of two vacant structures and an asphalt parking area. The asphalt parking area abuts a 10' wide sewer easement and the 25' riparian zone is adjacent to the southside of the 10' sewer easement. The 25' riparian zone is delineated on the plat associated with the hotel project (application P19-064) as a proposed riparian and scenic easement consistent with KMC §17.88.040.D.2. The riparian zone is currently in a natural state and the north side of the bank, which is the southern boundary line of the subject property, does not contain man-made bank armoring or riprap. The 10' sewer easement combined with the 25' riparian easement provide a buffer ranging from 35' or more from the existing development and new development proposed on site (see civil sheet 3.0 in the applicant's submittal package dated July 29, 2019).
8. The applicant proposes to demolish and clear the existing development, including the asphalt surface parking area, from the site and to construct a new 100-room hotel, approximately 139,295 gross square feet in size. The hotel and all other site improvements are proposed to be located outside of the 1% annual chance floodplain, floodway, and riparian zone. Because of the sewer easement, the hotel will be located 35' or more from the mean high-water mark of Trail Creek. As indicated on the preliminary civil plans and preliminary landscape plan included in the applicant's submittal package dated July 29, 2019, all construction activity and all permanent site improvements will be located outside of the riparian zone, floodplain, and floodway.
9. As indicated in civil sheet 2.0, Storm Water Pollution Prevention Plan, measures will be taken to protect the adjacent waterway and riparian area. These measures include installation of a silt fence and inlet protection around the existing catch basin, development of a Storm Water Pollution Prevention Plan and Best Management Practices document for erosion control.

10. The applicant is put on notice that city review and approval of this application does not guarantee that flooding will not occur as the subject property is located partially within in the Special Flood Hazard Area (100-year floodplain). Purchasing flood insurance is recommended; standard property owner’s insurance policies do not cover losses due to flooding.
11. The following are the City Council’s findings regarding the Floodplain Development Requirements and Standards applicable to the Floodplain Development Permit and Waterways Design Review Application:

Floodplain Development Requirements				
Chapter 17.88, Floodplain Management Overlay Zoning District (FP)				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Regulation	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.040.D.3	<p>Prior to issuance of any building permit for a structure located partially or wholly within the one percent (1%) annual chance floodplain, a preconstruction elevation certificate shall be completed by a registered professional engineer, architect or surveyor and submitted to the City of Ketchum building inspector. The elevation certificate form shall be made available from the City. The certificate shall again be completed by the owner and/or his/her agents and submitted to the City upon completion of the foundation and construction of the lowest floor, and again prior to issuance of a certificate of occupancy or a final inspection by the building inspector to evidence the as built elevation of the lowest floor including basement.</p> <p><i>Staff Comments</i> Civil sheet C3.0 best represents the location of the proposed building with respect to the one percent (1%) annual chance floodplain. As indicated on the plan, the building footprint is located entirely outside of the 1% annual chance floodplain. Therefore, Elevation Certificates are not required.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.040.D.5	<p>Prior to issuance of any floodplain development permit, the property owner or his or her authorized agent shall acknowledge by executed written affidavit that said property is located within the one percent (1%) annual chance floodplain as defined herein and that a violation of the terms of this article shall cause the City to seek legal remedies.</p> <p><i>Staff Comments</i> The applicant is aware of this requirement and as a condition of approval, the affidavit shall be submitted prior to the Commission Chair signing the Findings of Fact and Conclusions of Law for this permit.</p>
17.88.050: PROVISIONS FOR FLOOD HAZARD REDUCTION				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)1	<p>Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.</p> <p><i>Staff Comments</i> The southern boundary of the property coincides with the mean high water mark of the north side of Trail Creek. Regulatory floodplain, including floodway, exists on the subject property along the southern boundary of the property and the 25'-wide riparian and scenic easement (riparian zone) is offset, landward, from the mean high water mark on the north side of Trail Creek. The riparian zone largely provides a buffer between the limit of the 1% annual chance floodplain and the remainder of the site, with the riparian buffer and floodplain boundary aligning and slightly overlapping only near the southeast corner of the site. An additional 10' wide sewer easement exists on the landward side of the riparian zone, which provides further distance between the developable portion of the property and the floodplain and Trail Creek.</p> <p>Civil sheet C 1.0 indicates existing development on the subject property with respect to the sewer easement, riparian zone, and the floodplain and floodway boundaries.</p>

			<p>Currently, two vacant buildings and an asphalt parking surface are located on the subject property. The asphalt parking surface extends directly to the north side of the 10' sewer easement. Therefore, the extent of existing development on the site is offset approximately 10' from the riparian zone and existing development is located entirely outside of the regulatory floodplain. The floodplain and riparian zone are characterized as being in an undisturbed, naturalized state.</p> <p>Civil sheet 2.0, Storm Water Pollution Prevention Plan, includes the following details: During demolition and clearance of the existing development a silt fence will be installed along the south, west, and east property. Along the southern property boundary the silt fence will be installed along the northern side of the 10' easement, therefore providing at least a 10' buffer from the riparian zone and an even larger buffer (ranging from 10' to 20'+) from the regulatory floodplain. Drain inlet protection will also be installed around the existing catch basin that retains the site's drainage. No encroachment into the floodplain or riparian zone will occur during demolition and clearance.</p> <p>The proposed new construction with respect to the floodplain and riparian zone is best indicated in Civil sheet 3.0, which includes the footprint of the proposed hotel building. The entirety of the hotel will be located outside of the riparian zone, which in turn means no portion of the hotel will be located within the regulatory floodplain. Additionally, the Landscape plan 1.0 indicates that all proposed landscaping for the project will occur outside of the riparian zone.</p> <p>Drainage improvements will be located outside of the riparian zone, and the portions of the site that are currently covered with asphalt will largely be replaced with landscaping (per the preliminary Landscape Plan), thereby reducing the impervious surface on the subject property.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.88.050(E)2 Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.</p> <p><i>Staff Comments</i> As described in 17.88.060(E)1, no construction activity related to building the hotel is proposed to occur within the riparian zone. However, the applicant's supplemental materials included in the document titled "Ketchum Tribute, October 16, 2020, Planning Commission Supplemental Info" and included in the Master Record of Proceedings as SR-34 indicate a single stone pathway and staircase leading through the riparian area to the bank of the creek on the sheet titled "Trail Creek Improvements". Consistent with 17.88.050(E)3, the Administrator may approve such pathway. presented Exhibit D.</p> <p>While the riparian zone is mostly in a natural state, the applicant also proposes to remove existing dead brush and branches that have been dumped into the riparian zone in order to restore the riparian zone's health. The applicant also indicates they are open to discussing an additional staircase leading from River Street, along the western property line as indicated in the diagram, to the riparian zone. Both of these items are discussed on the sheet titled "Trail Creek Improvement". This additional access, if traversing the riparian zone, would be subject to permitting if the applicant decides to pursue it – either as a new permit or an amendment to this permit.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)3	No development, other than development by the City of Ketchum or development required for emergency access, shall occur within the twenty five foot (25') riparian zone with the exception of approved stream stabilization work. The Administrator may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the Administrator.
			<i>Staff Comments</i>	<i>Consistent with the plans submitted as part of this application, no development is proposed in the riparian zone other than as discussed in criteria 17.88.050(E)2, above. The creek viewing pathway indicated on the "Trail Creek Improvement" sheet is approved.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)4	A landscape plan and time frame shall be provided to restore any vegetation within the twenty five foot (25') riparian zone that is degraded, not natural or which does not promote bank stability.
			<i>Staff Comments</i>	<i>As described in 17.88.060(E)1, the riparian zone will be protected during demolition of the existing structures and for the duration of construction of the hotel. A restoration plan is not necessary at this time as the only changes to the riparian zone are minor and covered by this permit and the riparian zone is largely in a natural state. However, should the riparian zone inadvertently be disturbed during the course of the project's development, restoration shall be required, with a restoration plan submitted as part of an amendment to this permit.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)5	New or replacement planting and vegetation shall include plantings that are low growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common chokecherry, serviceberry, elderberry, river birch, skunk bush sumac, Beb's willow, Drummond's willow, little wild rose, gooseberry, and honeysuckle.
			<i>Staff Comments</i>	<i>No new or replacement plantings are required or are proposed.</i>

Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)6	Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Floodwater carrying capacity is not diminished by the proposal. Surface drainage is controlled and shall not adversely impact adjacent properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms shall be designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.
			<i>Staff Comments</i>	<i>Floodwater carrying capacity is not diminished by the proposal, which will improve site drainage (reduction of pervious surface) and direct all of its drainage to a on-site drywells/catch basins; site drainage shall not drain to Trail Creek. No landscaping berms are proposed and all proposed landscaping and vehicular accesses will be located outside of the floodplain.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)7	Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.
			<i>Staff Comments</i>	<i>Adverse impacts on aquatic life, recreation, and water quality are not anticipated. The existing riparian zone will remain intact.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)8	Building setback in excess of the minimum required along waterways is encouraged. An additional ten foot (10') building setback is encouraged to provide for yards, decks and patios outside the twenty five foot (25') riparian zone.
			<i>Staff Comments</i>	<i>The required 25' riparian setback is being respected. Further, a 10' wide sewer easement exists beyond the riparian zone and will provide an additional buffer from the waterway.</i>

Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)9	The top of the lowest floor of a building located in the one percent (1%) annual chance floodplain shall be a minimum of twenty four inches (24") above the base flood elevation of the subject property. (See section 17.88.060, figures 1 and 2 of this chapter.) <i>Staff Comments</i> This standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)10	The backfill used around the foundation in the floodplain shall provide a reasonable transition to existing grade but shall not be used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. An LOMA-F shall be obtained prior to placement of any additional fill in the floodplain. <i>Staff Comments</i> No fill is proposed in the floodplain; the proposed new development will be located entirely outside of the 1% annual chance floodplain. The standard for backfill around the foundation applies only to buildings that are located partially or entirely within the 1% annual chance floodplain.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)11	All new buildings shall be constructed on foundations that are approved by a licensed professional engineer. <i>Staff Comments</i> This standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)12	Driveways shall comply with effective street standards; access for emergency vehicles has been adequately provided for. <i>Staff Comments</i> The vehicular access to the hotel (ramp to a parking garage) and lower-level fire access will receive final approval from the Fire Marshal, City Engineer, and Streets Department Director prior to issuance of a building permit.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)13	Landscaping or revegetation shall conceal cuts and fills required for driveways and other elements of the development. <i>Staff Comments</i> A preliminary landscaping plan has been submitted. All area of the site disturbed during construction are proposed to be finished with landscaping.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)14	(Stream alteration) The proposal is shown to be a permanent solution and creates a stable situation. <i>Staff Comments</i> N/A, stream alteration is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)15	(Stream alteration) No increase to the one percent (1%) annual chance floodplain upstream or downstream has been certified, with supporting calculations, by a registered Idaho hydraulic engineer. <i>Staff Comments</i> N/A, stream alteration is not proposed.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)16	(Stream alteration) The recreational use of the stream including access along any and all public pedestrian/fisher's easements and the aesthetic beauty shall not be obstructed or interfered with by the proposed work. <i>Staff Comments</i> N/A, stream alteration is not proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.050(E)17	Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement. <i>Staff Comments</i> James Joyner, Senior Regulatory Project Manager with the U.S. Army Corps of Engineers, Walla Wall District, provided comment that wetlands exist along the southern property boundary, which is Trail Creek. However, staff discussed the location of the proposed development, which will occur only in areas of the site that have already been developed and will be located 35'+ from Trail Creek, with Mr. Joyner. As such, no change to the proposed project is necessary.
			17.88.050(E)18	(Stream alteration) Fish habitat shall be maintained or improved as a result of the work proposed.

Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Staff Comments</i>	<i>N/A, stream alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)19	(Stream alteration) The proposed work shall not be in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
			<i>Staff Comments</i>	<i>N/A, stream alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.050(E)20	(Stream alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
			<i>Staff Comments</i>	<i>N/A, stream alteration is not proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.A.1	A. General Standards: In all areas of special flood hazard, the following standards are required: 1. Anchoring: a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. b. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference the Federal Emergency Management Agency's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).
			<i>Staff Comments</i>	<i>N/A. This standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.A.2	2. Construction Materials And Methods: a. All structural and nonstructural building materials utilized at or below the base flood elevation must be flood resistant. Flood damage resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood damage resistant materials are not used for building elements, those elements must be elevated above the base flood elevation. This requirement applies regardless of the expected or historical flood duration. b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage. c. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
			<i>Staff Comments</i>	<i>N/A. This standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.A.3	3. Utilities: a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system; b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and c. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
			<i>Staff Comments</i>	<i>This standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B.3.a	3. Nonresidential Construction: a. New construction and substantial improvement of any commercial, industrial, nonresidential portion of a mixed use or other nonresidential structure in any A1-30, AE and

Compliant			Standards and Staff Comments	
Yes	No	N/A	Guideline	City Standards and <i>Staff Comments</i>
				<p>AH zone shall either have the top of the floor structure of the lowest floor, including basement, elevated to twenty four inches (24") above the base flood elevation or, together with attendant utility and sanitary facilities, shall:</p> <p>(1) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;</p> <p>(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;</p> <p>(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this article based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in subsection 17.88.050D3c(2) of this chapter;</p> <p>(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection B2c of this section; and</p> <p>(5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot (1') below the floodproofed level (e.g., a building constructed to the base flood level will be rated as 1 foot below that level).</p>
			<i>Staff Comments</i>	<i>N/A. This standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060.B.2.b	<p>b. All new construction and substantial improvement of nonresidential structures within AO zones shall:</p> <p>(1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least twenty four inches (24") higher than the depth number specified in feet on the FIRM; or</p> <p>(2) Together with the attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in subsection B3a of this section.</p>
			<i>Staff Comments</i>	<i>N/A. The subject property is in the AE zone, not the AO zone. Further, this standard applies to buildings that are located partially or entirely within the 1% annual chance floodplain. This proposed new development will be located entirely outside of the 1% annual chance floodplain.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use ordinance, Title 17.
3. The Commission has the authority to hear the applicant's Floodplain Development and Waterways Design Review application pursuant to Chapter 17.88 of Ketchum Municipal Code Title 17.
4. The City of Ketchum Planning Department provided adequate notice of the time, place and summary of the applicant's proposal to be heard by the Commission for review of this application.

5. The project **does** meet the standards of approval under Chapter 17.88 of Zoning Code Title 17.

ORDER OF DECISION

Based upon the above and foregoing Findings of Fact/Conclusions of Law and good cause appearing from the record, IT IS HEREBY DECIDED THAT THE FOLLOWING ORDERS BE ISSUED:

Order No. 1: These Findings of Fact, Conclusions of Law and Order of Decision amends and reforms and supersedes the original Findings of Fact, Conclusions of Law and Decision of the City Council in this matter entered on February 3, 2020.

Order No. 2: This Waterways Design Review and Floodplain Development Permit is approved subject to the following terms and conditions:

- 2.1 Condition No. 1: The term of floodplain development permit and waterways design review shall be twelve (12) months from the date that findings of fact, conclusions of law and decision are signed by the Administrator or upon appeal, the date the approval is granted by the Planning and Zoning Commission, subject to changes in zoning regulations. Application must be made for a building permit (if required) with the Ketchum Building Department during the twelve (12) month term. Once a building permit (if required) has been issued, the approval shall be valid for the duration of the building permit. Unless an extension is granted as set forth in KMC 17.88.050.G, failure to file a complete building permit application (if required) for a project in accordance with these provisions shall cause said approval to be null and void;
- 2.2 Condition No. 2: This Waterways Design Review and Floodplain Development Permit approval is based on the plans, as referenced above, and information presented and approved at the meeting on the date noted herein. Any building or site discrepancies which do not conform to the approved plans will be subject to removal;
- 2.3 Condition No. 3: Pursuant to Chapter 17.88.040.C, no chemicals or soil sterilants are allowed within 100 feet of the mean high-water mark. No pesticides, herbicides, or fertilizers are allowed within 25 feet of the mean high-water mark unless approved by the City Arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high-water mark, but not within twenty-five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap

within the riparian zone may be used throughout the growing season as needed;

- 2.4 Condition No. 4: Prior to commencement of any construction activity on the subject parcel, the silt fence and inlet protection shall be installed as indicated in civil sheet 2.0;
- 2.5 Condition No. 5: No maintenance, including the mowing, trimming, and removal of vegetation, and no construction activities, encroachment, or disturbance within the riparian zone shall take place without approval through an amendment to this permit, during the time period the permit is in effect, or through approval of a subsequent permit;
- 2.6 Condition No. 6: It shall be unlawful to dump, deposit or otherwise cause any trash, landscape debris or other material to be placed in any stream, channel, ditch, pond or basin that regularly or periodically carries or stores water.

Order No. 3: Not a Final Action. These Findings of Fact, Conclusions of Law and Order of Decision are not a final action of the City Council on this Floodplain Development Permit and Waterways Design Review until the following conditions subsequent have occurred:

- 3.1 There is a final action by the City upon the Design Review of the PUD CUP; and
- 3.2 The City Council has taken final action upon the Permit Acceptance Agreement.

Adopted this 16th day of February, 2021.

City Council of the City of Ketchum

By: _____
Neil Bradshaw, Mayor

Notice to Applicant

The subject Floodplain Development Permit and Waterways Design Review concerns a site-specific land use request and therefore this notice is provided to the applicant pursuant to I.C. § 67-6535 (3) of the applicant's right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

W:\Work\K\Ketchum, City of 24892\Gateway Hotel .015\AGENCY RECORD\FCO On Remand Drafts\2021-02-16 19-062 FCO by KCC on remand - lh 2-05-2021.docx

Attachment B. Findings of Fact, Conclusions of Law, and Order of Decision File No.
P19-064

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:) FILE NO. **P19-064**
)
PEG KETCHUM HOTEL, LLC) **FINDINGS OF FACT, CONCLUSIONS**
) **OF LAW, AND ORDER OF DECISION**
Applicant)
Lot Line Adjustment)
)
)
)
)

THIS ABOVE ENTITLED MATTER coming before the City Council of the City of Ketchum upon remand from the Planning and Zoning Commission’s recommendations issued on December 22, 2020 on remand for joint public hearing held February 1, 2021 continued to February 16, 2021 for consideration of this Findings of Fact, Conclusions of Law, order of Decision of the above referenced matters. The Applicant’s Design Review and Permit Conditions Acceptance Agreement applications were both tabled by the Planning and Zoning Commission subject to the City Council’s action on the above referenced Applications. The City Council having reviewed the entire record on remand and the record established in joint hearing on February 1, 2021 does hereby make and set forth the Record of Proceedings, Findings of Fact for all of the above referenced matters as follows:

readjust the lot lines by combining three parcels (251 S. Main Street – Ketchum Townsite Lots 3, 21, FR 22 Blk 82 N 10’ x 110’ of alley S 20’ x 230’ of alley, 260 E. River Street – Ketchum Townsite Lot 2 Block 82 10’ x 110’ of alley, and 280 E. River Street – Ketchum Townsite Lot 1 Block 82) into one lot, referenced herein as Lot 3A, Block 82, Ketchum Townsite (the “New Lot 3A”) to be designed as Lot 3A, Block 82, Ketchum Townsite (the “Lot Line Adjustment Application”).

The City Council having reviewed the entire record and provided notice and held a joint public hearing does hereby make and set forth these Findings of Fact, Conclusions of Law, and Order of Decision as follows:

I. RECORD OF PROCEEDINGS

The above-entitled matter has been heard by the City Council in conjunction with the accompanying PEG Ketchum Hotel, LLC PUD Project Master Plan together with the other following accompanying Applicant Applications:

- Floodplain Development Permit File No. P19-062
- Planned Unit Development Conditional Use Permit File No. P19-063
- Waiver File No. P20-069

The City Council has approved together with these Findings of Fact, Conclusions of Law, and Order of Decision that certain **Master Joint Hearings Compiled Record of Proceedings On Remand** for Files Nos. P19-062, P19-063, P19-064, P20-069 and P20-019 (the “Master Joint Hearings Record of Proceedings”) which is herein included by reference as if set forth at length.

PUBLIC NOTICES FOR HEARINGS ON REMAND:

Legal notice of the joint hearing before the City Council was published in the City’s newspaper of record and notice was mailed to adjoining landowners within 300’ was in compliance with the 15-day and 10-day notice requirements. Notice to neighbors and political subdivisions and publication in the *Idaho Mountain Express* occurred on January 13, 2021 with on-site posting on the subject premises on January 25, 2021, mailed to property owners and government subdivisions on January 13, 2021 and posted on the City’s website on January 25, 2021.

II. FINDINGS OF FACT

1. The original Findings of Fact Conclusions of Law and Decision were approved by the City Council on February 3, 2020 (the “Original Findings”).
2. Based upon a finding of a noticing error, on April 6, 2020 the Ketchum City Council moved to vacate the PEG Ketchum Hotel decisions and findings and remand subject Original Findings for this permit for additional process as necessary. Accordingly, reconfirmation of the past record is required as inadequate notice occurred with the Original Findings.
3. The Planning and Zoning Commission on remand, subject to notice, held a joint hearing and received testimony and evidence in regards to the Lot Line Adjustment Preliminary Plat and entered their Findings of Fact, Conclusions of Law and Recommendations to the City Council on December 22, 2020.

4. The City Council on Remand, subject to notice, held a joint hearing and received testimony and evidence in regards to the Lot Line Adjustment Preliminary Plat and entered these Findings of Fact, Conclusions of Law, and Order of Decision.
5. The applicant proposes to combine three parcels into a new Lot 3A, Block 82, Ketchum Townsite. The application meets the definition of “readjustment of lot line” as defined in Ketchum Municipal Code (“KMC”) § 16.04.030.L of the City Subdivision Ordinance.
6. Applicant has also submitted a Master Plan inclusive of New Lot 3A which is the subject of the Applicant’s application for a Planned Unit Development Conditional Use Permit, (the “PUDCUP”) pursuant to Title 16, Chapter 16.08. Subject PUDCUP includes a request for waiver or deferral of requirements (KMC § 16.08.070.F).
7. The Administrator of the City Subdivision Ordinance has the duty to administer its regulations as provided in KMC § 16.04.030; and the Administrator has procedurally processed this Lot Line Adjustment Application in accordance with the Preliminary Plat Procedures and Final Plat Procedures as provided in KMC § 16.04.030 C, D, E and F.
8. The preliminary plat of the Lot Line Adjustment Application was first heard by the Planning and Zoning Commission pursuant to KMC §§ 16.08.110 and 17.116.040 along with the PUDCUP both hearings pursuant to notice at 4:30 p.m. on July 28, 2019 which hearing was then continued and reconvened by the Planning and Zoning Commission to 5:30 p.m. on July 29, 2019 and was again continued and reconvened by the Planning and Zoning Commission at 5:30 p.m. on August 12, 2019 for receipt and consideration and approval of its Findings of Fact, Conclusions of Law, Decision of recommendation of approval to the Ketchum City Council subject to fifteen (15) conditions of that approval.
9. The New Lot 3A is part and parcel of the details of the Applicant’s Master Plan which Master Plan is a subject of the Applicant’s PUDCUP Application. That Application includes the Galena Engineers plat map showing a new Lot 3A, which combines the three existing lots owned by the Applicant within Block 82 of the Ketchum Townsite Plat into one larger lot. Subject map was prepared by Galena Engineers and was stamped by Mark Phillips on 6/12/2019.
10. New Lot 3A is 47,249 square feet and exceeds the minimum Tourist zone lot size of 8,000 square feet. Further, the property exceeds the eighty-foot (80’) minimum lot width established for the Tourist zone and includes the required twenty-five foot (25’) Riparian and Scenic Easement from the Ordinary High-Water Mark (“OHWM”) established by the KMC for building setbacks along Trail Creek.
11. The following are the City Council’s findings regarding the standards and requirements applicable to the New Lot 3A Lot Line Adjustment Application.

Table 1: Zoning Standards Analysis

Compliance with Zoning Standards					
Compliant			Standards and Staff Comments		
Yes	No	N/A	Guideline	City Standards and Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Lot Area: 9,000 square feet minimum.	
			<i>Staff Comment</i>	<i>New Lot 3A is 47,249 square feet</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Coverage	
			<i>Staff Comment</i>	<i>A Planned Unit Development Application, pursuant to Title 16, Chapter 16.08 Project proposes a waiver to the FAR requirements consistent with KMC §17.124040 and, subject to approval of the PUD application with conditions, complies with this zoning standard.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Building Setbacks	
				Minimum: <i>Front: 15'</i> <i>Side: > of 1' for every 2' in building height, or 10', whichever is greater</i> <i>Trail Creek/Rear: 25'</i> <i>State Highway 75: 25' to 32' (varies)</i>	
			<i>Staff Comment</i>	<i>The Project proposes a waiver to the side yard setback requirements and, subject to approval of the PUD application with conditions, complies with this provision of the Tourist zoning standard.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height	
				Maximum Permitted: 35' or greater for hotels	
			<i>Staff Comment</i>	<i>The Project proposes a waiver to the height requirements for hotels and, subject to approval of the PUD application with conditions, complies with this zoning standard</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	Curb Cut	
				Permitted: <i>A total of 35% of the linear footage of any street frontage can be devoted to access off street parking.</i>	
			<i>Staff Comment</i>	<i>There are no curb cuts proposed along State Highway 75. The new configuration results in < 35% of the linear footage of street frontage devoted to access the off street parking within the parking garage.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A.2 & 17.125.050	Parking Spaces	
				<i>Off-street parking standards of this chapter apply to any new development and to any new established uses.</i>	
			<i>Staff Comment</i>	<i>As analyzed by staff and consistent with §17.125 of the KMC, the Project has adequate parking for the proposed uses on the property.</i>	

Table 2: Plat Requirements

Plat Requirements					
Compliant			Standards and Staff Comments		
Yes	No	N/A	City Code	City Standards and Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.	
			<i>Staff Comments</i>	<i>The application has been reviewed and determined to be complete.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I	Contents Of Preliminary Plat: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:	

			Staff Comments	<i>All required materials for the Subdivision Plat application have been submitted.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .1	The scale, north point and date.
			Staff Comments	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .2	The name of the proposed subdivision, which shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho.
			Staff Comments	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			Staff Comments	<i>This standard shall be met with the Final Plat with the signed Certificate of Ownership.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .4	Legal description of the area platted.
			Staff Comments	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			Staff Comments	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .6	A contour map of the subdivision with contour lines and a maximum interval of five feet (5') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			Staff Comments	<i>This standard has been met. The Subdivision Plat indicates contour lines at 1 ft intervals.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I.7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			Staff Comments	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .8	Boundary description and the area of the tract.
			Staff Comments	<i>The legal description appears on the Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .9	Existing zoning of the tract.
			Staff Comments	<i>Each of the affected lots are located in the Tourist Zoning District.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.
			Staff Comments	<i>Subject items are reflected on the plat.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
				<i>No land for common or public use is required or proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			Staff Comments	<i>The plat indicates the existing locations of all utilities. An encroachment permit will be required for all improvements to public right of way. A full utility plan will be required prior to final plat recordation and infrastructure construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .13	The direction of drainage, flow and approximate grade of all streets.
			Staff Comments	<i>These details are indicated. An encroachment permit will be required for all improvements to public right of way. A full utility plan will be required prior to final plat recordation and infrastructure construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.

			Staff Comments	<i>Drainage infrastructure exists within Idaho Transportation Department (ITD) right of way (ROW) near the SE corner of the property. This and related infrastructure are shown on the plat, including a drywell easement (instrument #440075) and two sanitary sewer easement (instrument #130085 and 130089). Also, a proposed new twenty-five foot (25') riparian and scenic easement is shown on the plat. Any work in this area is subject to separate floodplain rules and regulations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .15	All percolation tests and/or exploratory pit excavations required by state health authorities.
			Staff Comments	<i>Applicant has submitted results of percolation and related tests.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.I .16	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			Staff Comments	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .17	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.
			Staff Comments	<i>This has been provided.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .18	The boundaries of the floodplain, floodway and avalanche zoning district shall also be clearly delineated and marked on the preliminary plat.
			Staff Comments	<i>New Lot 3A is located within the City's Floodplain Overlay District. The applicant has included an easement on the plat to protect this area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .19	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.
			Staff Comments	<i>KMC §16.040.020 defines Building Envelope as, "the site for location of a structure delineated on a preliminary plat and final plat within which the entire building must be constructed. A building envelope shall conform to all minimum zoning ordinance requirements and requirements of this chapter." This application is a minor amendment to shift an interior boundary line in order to for the Applicant to not build over existing lot lines. Applicant has shown a new easement to assure no building is constructed within 25' of Trail Creek. A building envelope ("BE") will be reflected on the final plat consistent with the approved final Agreement for the Project. Subject BE will reflect the Council's final approval on corner lot radii sight line requirements and side yard setbacks. The BE shall not encroach within 25' of Trail Creek or the edge of ITD ROW.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .20	Lot area of each lot.
			Staff Comments	<i>The areas of each lot are indicated on the Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .21	Existing mature trees and established shrub masses.
			Staff Comments	<i>Existing mature trees and established shrub masses exist on the Property. Subject vegetation along Trail Creek helps provide important habitat and benefits to the stream. Mature trees along River Street provide a visual buffer for the old, dilapidated structures. A landscaping plan has been submitted for the Project, as well as a separate Floodplain Development Permit. The removal of existing mature trees and/or established shrub masses is subject to approval and adoption of the Applicant's landscape plan through the Design Review and/or Floodplain Development Permit process.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .22	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.

			Staff Comments	<i>A current title report and a copy of the both owners' recorded deed to the subject properties were included in the Plat application submittal.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I .23	Three (3) copies of the preliminary plat shall be filed with the administrator.
			Staff Comments	<i>A digital copy for reproduction was submitted with the application. Therefore, Staff required only one (1) full size copy of the preliminary plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Staff Comments	<i>The property is served by city water and sewer services, as well as other public and private utilities (TV, gas, electric, etc). Also serving new Lot 3A is an existing sidewalk within ITD ROW. No sidewalks exist for the Property along River Street, which has an eight-foot (8') wide sidewalk requirement. An encroachment permit from ITD as well as the City will be required for all improvements to public right of way, including the construction of a sidewalk not less than eight-feet (8') in width along River Street. As a condition of Plat approval, subject sidewalk shall be installed prior to final plat recordation unless otherwise approved by the Ketchum City Council.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			Staff Comments	<i>Subject plans are required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			Staff Comments	<i>Subject civil engineering improvement plans have been submitted to the City. However, due to existing winter weather conditions, which make concrete pours inadvisable, and other factors beyond the control of the applicant (as is currently being experienced by the City in completing its SolarOne specified 2700 Kelvin outdoor light fixtures), the applicant proposes to record the final plat prior to the River Street sidewalk and street lighting ROW improvements being made. Consistent with KMC § 16.04.040.C the Council may accept a performance bond for</i>

				<i>outstanding improvements. In this instance, a superior performance instrument (letter of credit) is proposed to be filed with the city clerk to ensure actual construction of the required improvements as submitted and approved.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.D	As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.
				<i>Subject plans are required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.E	Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows: <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			Staff Comments	<i>Monumentation required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	Lot Requirements: <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: <ol style="list-style-type: none"> a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met.

				<p>b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</p> <p>3. Corner lots shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts. Should a double frontage lot(s) be created out of necessity, then such lot(s) shall be reversed frontage lot(s).</p> <p>6. Minimum lot sizes in all cases shall be reversed frontage lot(s).</p> <p>7. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat.</p>
			Staff Comments	<i>The Project complies with each of these requirements. A building envelope ("BE") will be reflected on the final plat consistent with the approved final Agreement for the Project. Subject BE will reflect the Council's final approval on FAR , corner lot radii sight line requirements, and front/side yard setbacks. The BE shall not encroach within 25' of Trail Creek or the edge of ITD ROW.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <p>1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots.</p> <p>2. Blocks shall be laid out in such a manner as to comply with the lot requirements.</p> <p>3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features.</p> <p>4. Corner lots shall contain a building envelope outside of a seventy-five foot (75') radius from the intersection of the streets.</p>
			Staff Comments	<i>This application does not create a new block. This requirement is not applicable. Notwithstanding, a Building Envelope ("BE") will be reflected on the final plat consistent with the approved final Agreement for the Project. Subject BE will reflect the Council's final approval on corner lot radii sight line requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.H	<p>Street Improvement Requirements:</p> <p>1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;</p> <p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</p> <p>3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;</p>

			<p>4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;</p> <p>5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;</p> <p>6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;</p> <p>7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;</p> <p>8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;</p> <p>9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);</p> <p>10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;</p> <p>11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;</p> <p>12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;</p> <p>13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the commission before submitting same to council for preliminary plat approval;</p> <p>14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;</p> <p>15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;</p> <p>16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;</p> <p>17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;</p> <p>18. Street lighting may be required by the commission or council where appropriate and shall be installed by the subdivider as a requirement improvement;</p>
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			Staff Comments	<i>The Project does not create a new street. With the exception of Street lighting these standards are not applicable. Street lighting in compliance with City standards is required of the Applicant consistent with this standard.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.I	<p>Alley Improvement Requirements: Alleys shall be provided in business, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be prohibited. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.</p>
			Staff Comments	<i>This proposal does not create a new alley. This standard is not applicable.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J	<p>Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands.</p> <p>1. A public utility easement at least ten feet (10') in width shall be required within the street right of way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the city engineer to be necessary for the provision of adequate public utilities.</p> <p>2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.</p> <p>3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.</p> <p>4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which</p>

				<p>no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.</p> <p>5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.</p> <p>6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the city.</p>
			Staff Comments	<i>A ten-foot (10') fishermen's easement needs to be shown on the plat in accordance with subsection 3 herein. The required twenty-five foot (25') riparian and scenic easement along Trail Creek is established in accordance with subsection 4. Standards #1,2, 5 & 6 are not applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.K	<p>Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the city engineer, council and Idaho health department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho department of health and the council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.</p>
			Staff Comments	<i>N/A as the existing development connects to the public sewage system.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.L	<p>Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the city under the supervision of the Ketchum fire department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the municipal water system and shall meet the standards of the following agencies: Idaho department of public health, Idaho survey and rating bureau, district sanitarian, Idaho state public utilities commission, Idaho department of reclamation, and all requirements of the city.</p>
			Staff Comments	<i>N/A as water system improvements are existing.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall</p>

				submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.
			Staff Comments	<i>This standard is not applicable.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N	<p>Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <ol style="list-style-type: none"> 1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or council as part of the preliminary plat application. 2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information: <ol style="list-style-type: none"> a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved. e. Location of all street and utility improvements including driveways to building envelopes. f. Any other information which may reasonably be required by the administrator, commission or council to adequately review the affect of the proposed improvements. 3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways. 4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision. 5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion. 6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: <ol style="list-style-type: none"> a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability. b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American standard testing methods). c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability. d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope. e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops

				and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.
			Staff Comments	<i>The Applicant has submitted a soils report and landscaping plan for the Project. As conditioned herein, prior to grading occurring on the new Lot 3A, City approval of the Applicant's grading, drainage and landscaping construction drawings is required. Subject construction drawings shall be consistent in concept with approved Design Review, Encroachment Permit, and related drawings.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.O	Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the city on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.
			Staff Comments	<i>Prior to grading occurring on the new Lot 3A, City approval of the Applicant's grading, drainage and landscaping construction drawings is required. Subject construction drawings shall be consistent in concept with approved Design Review, Encroachment Permit, and related drawings.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.P	Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.
			Staff Comments	<i>N/A as the subject property is served by existing utilities.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	Off Site Improvements: Where the offsite impact of a proposed subdivision is found by the commission or council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
			Staff Comments	<i>No off-site improvements are required as a condition of platting new Lot 3A.</i>

12. The issuance of a building permit for the construction of the PUDCUP Master Plan will be subject to the terms and conditions of the City Council's final action on the PUDCUP inclusive of final City action on the PUDCUP design review and the relevant terms and conditions of the City Council's final approved action on the Permit Acceptance Agreement.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Pursuant to I.C. § 67-6513 the City, by ordinance which is codified as Chapter 16.04 of the Ketchum City Code, has by ordinance adopted standards and a process for applications for subdivision permits as provided in I.C. § § 50-1301 through 50-1329.
3. The City of Ketchum Planning Department provided adequate notice of the time, place and summary of the applicant's proposal to be heard by the Council for review of this application.
4. The Lot Line Adjustment Application does meet the standards of approval under Title 16, Chapter 16.04, subject to conditions of approval.

ORDER OF DECISION

Based upon the above and foregoing Findings of Fact/Conclusions of Law and good cause appearing from the record, IT IS HEREBY DECIDED THAT THE FOLLOWING ORDERS BE ISSUED:

Order No. 1: These Findings of Fact, Conclusions of Law and Decision amends and reforms and supersedes the original Findings of Fact, Conclusions of Law and Decision of the City Council in this matter entered on February 3, 2020.

Order No. 2: Applicant's Lot Line Adjustment Application preliminary plat, to combine three parcels (251 S. Main Street – Ketchum Townsite Lots 3, 21, FR 22 Blk 82 N 10' x 110' of alley S 20' x 230' of alley, 260 E. River Street – Ketchum Townsite Lot 2 Block 82 10' x 110' of alley, and 280 E. River Street – Ketchum Townsite Lot 1 Block 82) into one lot, referenced as Lot 3A, Block 82, Ketchum Townsite, as stamped by Mark Phillips with Galena Engineers on 6/12/2019, is approved subject to the following fourteen (14) conditions:

Condition No. 1: The recorded final plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map;

Condition No. 2: An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder's office concurrent with the recording of the Plat containing the following minimum data:

- a. Line work delineating all parcels and roadways on a CAD layer/level designated as “parcel”;
- b. Line work delineating all roadway centerlines on a CAD layer/level designated as “road”; and,
- c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as “control”;

Condition No. 3: All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a “.dwg”, “.dgn” or “.shp” format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units;

Condition No. 4: The applicant shall provide a copy of the recorded final plat with its recorded instrument number to the Department of Planning and Building for the official file on the application;

Condition No. 5: All requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met. All public improvements shall meet the requirements of the Public Works Department, including a cost estimate for unfinished sidewalk and street lighting improvements along River Street at 150% of engineering estimates;

Condition No. 6: All other provisions of Ketchum Municipal Code, Chapter 16, Subdivision Regulations, and all applicable ordinances rules and regulations of the city and other governmental entities having jurisdiction shall be complied with by the subdivision;

Condition No. 7: The Project proposes waivers to the side yard setbacks, floor area ratio and height requirements and, subject to approval of the PUDCUP application;

Condition No. 8: An encroachment permit will be required for all improvements to public right of way. A full utility plan will be required prior to final plat recordation and infrastructure construction;

Condition No. 9: A twenty-five foot (25') riparian and scenic easement is shown on the plat. Any work in this area is subject to separate floodplain rules and regulations;

Condition No. 10: A ten-foot (10') fishermen’s easement adjacent to the OHWM of Trail Creek needs to be shown and recorded on the plat;

Condition No. 11: A Building Envelope (“BE”) will be reflected on the final plat consistent with the City Council’s final approvals of the PUDCUP and the Permit

Acceptance Agreement. Subject BE will reflect the Council's final approval on FAR, corner lot radii sight line requirements, and side yard setbacks. The BE shall not encroach within 25' of Trail Creek or the edge of ITD ROW;

Condition No. 12: The removal of existing mature trees and/or established shrub masses is subject to approval and adoption of the Applicant's landscape plan through the Design Review and/or Floodplain Development Permit process;

Condition No. 13: An encroachment permit from ITD as well as the City will be required for all improvements to public right of way, including the construction of a sidewalk not less than eight-feet (8') in width along River Street. As a condition of Plat approval, subject sidewalk and street lighting to city standards shall be installed prior to final plat recordation unless otherwise approved by the Ketchum City Council; **and**

Condition No. 14: Prior to grading occurring on the New Lot 3A, City approval of the Applicant's grading, drainage and landscaping construction drawings is required. Subject construction drawings shall be consistent in concept with approved Design Review, Encroachment Permit, and related drawings.

Order No. 3 Not a Final Action: These Findings of Fact, Conclusions of Law and Order of Decision are not a final action of the City Council on this Lot Line Adjustment Application preliminary plat until the following conditions subsequent have occurred:

- 3.1 There is a final action by the City upon the Design Review of the PUDCUP; and
- 3.2 The City Council has taken final action upon the Permit Acceptance Agreement.

Adopted this 16th day of February, 2021.

City Council of the City of Ketchum

By: _____
Neil Bradshaw, Mayor

2-05-2021

Notice to Applicant

The subject Lot Line Adjustment Application for preliminary plat concerns a site-specific land use request and therefore this notice is provided to the applicant pursuant to I.C. § 67-6535 (3) of the applicant's right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

W:\Work\K\Ketchum, City of 24892\Gateway Hotel .015\AGENCY RECORD\FCO On Remand Drafts\2021-02-16 19-064 FCO by KCC on remand - lh 2-05-2021.docx

Attachment C. Findings of Fact, Conclusions of Law, and Order of Decision Files No.
P19-063 and File No. P20-069

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:)	FILE NO. P19-063
)	
PEG KETCHUM HOTEL, LLC)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER OF DECISION
)	
Applicant for)	
Planned Unit Development)	
Conditional Use Permit)	
)	

THE ABOVE ENTITLED MATTER coming before the City Council of the City of Ketchum upon remand from the Planning and Zoning Commission’s recommendations issued on December 22, 2020 on remand for joint public hearing held February 1, 2021 continued to February 16, 2021 for consideration of this Findings of Fact, Conclusions of Law, and Order of Decision of the above referenced matters. The Applicant’s Design Review and Permit Conditions Acceptance Agreement applications were both tabled by the Planning and Zoning Commission subject to the City Council’s action on the above reference Applications. The City Council having reviewed the entire record on remand and the record established in hearing on February 1, 2021 does hereby make and set forth the Record of Proceedings, Findings of Fact for all the above referenced matters as follows:

PEG Ketchum Hotel, LLC (the “Applicant”) submitted an Application for a Planned Unit Development (a “PUD Conditional Use Permit”) of a Master Plan inclusive of a request for waivers to minimum lot size, setback (side yards), height, and floor area ratio (FAR) limitations for a hotel development to be constructed and operated on a 1.09-acre site located at the southwest corner of the State Highway 75 and River Street intersection at 280 E. River, (the “Project Site”).

The Project Site is located within the Tourist District Zone as designed by KMC § 17.12.010

Applicant originally submitted a Master Plan and, during the course of the proceedings before the Council, subsequently on December 2, 2019 submitted Master Plan Version 2 and subsequently on January 21, 2020 submitted Master Plan Version 3 and subsequently on

February 3 submitted Master Plan Version 4 as part of its PUD Application.

The City Council having reviewed the entire record and provided notice and held a joint public hearing does hereby make and set forth these Findings of Fact, Conclusions of Law, and Order of Decision which is inclusive of the Waiver Application File No. P20-069 as follows:

I. RECORD OF PROCEEDINGS

The above-entitled matter has been heard by the City Council in conjunction with the accompanying PEG Ketchum Hotel, LLC PUD Project Master Plan together with the other following accompanying Applicant Applications:

- Floodplain Development Permit File No. P19-062
- Lot Line Adjustment File No. P19-064
- Waiver File No. P20-069

The City Council has approved together with these Findings of Fact, Conclusions of Law, and Order of Decision that certain **Master Joint Hearings Compiled Record of Proceedings On Remand** for Files Nos. P 19-062, P19-063, P19-064, P20-069 and P20-019 (the “Master Joint Hearings Record of Proceedings”) which is herein included by reference as if set forth at length.

PUBLIC NOTICES FOR HEARINGS ON REMAND:

Legal notice of the hearing before the City Council was published in the City’s newspaper of record and notice was mailed to adjoining landowners within 300’ was in compliance with the 15-day and 10-day notice requirements. Notice to neighbors and political subdivisions and publication in the *Idaho Mountain Express* occurred on January 13, 2021 with on-site posting on the subject premises on January 25, 2021, mailed to property owners and government subdivisions on January 13, 2021 and posted on the City’s website on January 25, 2021.

II. FINDINGS OF FACT

[As set forth in this section are findings of fact and corresponding citations to KMC provisions which are also Conclusions of Law]

2.1 Findings Regarding Notice:

2.1.1 **Notice Required:** Notice has been given in accordance with the Law as required by KMC Sections 16.08.110 and 17.116.040.

2.1.2 **Notice Provided:**

2.1.2.1 Notice was published for the February 1, 2021 joint public hearing in the Idaho Mountain Express, the official newspaper, which has general circulation within the boundaries of the City of Ketchum.

Newspaper	Date Published
Idaho Mountain Express	January 13, 2021

2.1.2.2 Notice of the February 1, 2021 hearing was mailed on January 13, 2021 to the property owners within 300 feet of the subject real property and affected Agencies and was posted on the subject property on January 25, 2021.

2.2 Findings Regarding Applications Filed:

2.2.1 PEG Ketchum Hotel, LLC has submitted and completed an Application for a Planned Unit Development of a Master Plan inclusive of Waiver Applications File No. P20-019 for a hotel development on a 1.09-acre site located at the southwest corner of the State Highway 75 and River Street intersection at 280 E. River, (the "Project Site") inclusive of a request for waivers to minimum lot size, setback (side yards), height, and floor area ratio (FAR) limitations.

2.2.2 These Applications are made pursuant and is subject to the provisions of the Ketchum Planned Unit Development (PUD) Ordinance Codified at Chapter 16.08 Ketchum Municipal Code as a PUD conditional use permit within in the City Tourist District Zone (KMC §§ 16.08.050 and 16.08.060.)

2.2.3 KMC §16.08.020 provides:

A. *This chapter is adopted pursuant to authority granted by Idaho Code section 67-6501 et seq., and article 12, section 2 of the Idaho constitution. It is enacted for the purpose of protecting and promoting the public health, safety and welfare; to secure the most appropriate use of lands, to encourage flexibility and creativity in the development of land in order to improve the design, character and quality of new development, and to*

provide usable open space; to preserve the scenic and aesthetic qualities of lands; to protect property rights and enhance property values; to ensure that adequate public facilities and services are provided; to ensure that the local economy is protected and enhanced; to encourage and promote the development of affordable housing; to ensure that the important environmental features are protected and enhanced; to avoid undue concentration of population and overcrowding of land; to ensure that the development on land is commensurate with the physical characteristics of the land; to protect life and property in areas subject to natural hazards; to protect fish, wildlife and recreation resources; to avoid undue water and air pollution; and to protect the quality of life offered by the city and surrounding resources enjoyed by residents and visitors alike.

- B. *The provisions for planned unit developments contained in this chapter are intended to encourage the total planning of developments. In order to provide the flexibility necessary to achieve the purposes of this chapter, specified uses may be permitted subject to the granting of a conditional use permit. Because of their unusual or special characteristics, PUD conditional uses require review and evaluation so that they may be located properly with respect to the purposes of this chapter, the comprehensive plan, and all other applicable ordinances, and with respect to their effects on surrounding properties and the community at large. In the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control. The review process prescribed in this chapter is intended to assure compatibility and harmonious development between conditional uses and surrounding properties and the city at large. The provisions for planned unit developments contained in this chapter are intended to encourage the total planning of developments. In order to provide the flexibility necessary to achieve the purposes of this chapter, specified uses may be permitted subject to the granting of a conditional use permit. Because of their unusual or special characteristics, PUD conditional uses require review and evaluation so that they may be located properly with respect to the purposes of this chapter, the comprehensive plan, and all other applicable ordinances, and with respect to their effects on surrounding properties and the community at large. In the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control. The review process prescribed in this chapter is intended to assure compatibility and harmonious development between conditional uses and surrounding properties and the city at large.*

- 2.2.4 **Applicant Master Plan Submittals:** Applicant originally submitted a Master Plan and subsequently on December 2, 2019 submitted Master Plan Version 2 and subsequently on January 21, 2020 submitted Master Plan Version 3 as part of its PUD Application and subsequently on February 3 submitted Master Plan Version 4 as part of its PUD Application, File No. P20-069, is pursuant to Title 16, Chapter 16.08. KMC Subject Master Plan (also herein referred to as the “Project”) includes a request for waiver or deferral of requirements pursuant to (KMC §16.08. 070.F).
- 2.2.5 **Waiver Requests:** As set forth in the Applicant’s PUD Application and Master Plan, Master Plan Version 2 dated December 2, 2019 and Master Plan Version 3 dated January 21, 2020 and Master Plan Version 4 dated February 24 & March 9, 2020 waivers are requested to the following dimensional standards: Floor Area Ratio (FAR), side yard setbacks, and height requirements. Additionally, a waiver is requested for the PUD to occur on a Project Site with a minimum lot size of less than three (3) acres, which is permissible subject to stipulations set forth in KMC §16.08.080. A.
- 2.2.6 **Minimum Lot Size:** The Council may waive the three (3) acre minimum lot size requirement consistent with KMC §16.08.080. A.4 as allowed for hotels. To do so, the Council must find the Project meets the definition of hotel as set forth in KMC §17.08.020 and complies with the purpose of the Tourist zone as set forth in KMC §17.180 by providing the opportunity for tourist use. Additional relevant analysis is consistency of the Project with the Subarea Analysis and Gateway Study Excerpts.
- 2.2.7 **Waivers Part of PUD Ordinance:** Title 16, Chapter 16.04.020 defines Waiver as a:

Modification of a relevant provision and regulation of this chapter not contrary to public interest or public health, safety or welfare, and due to physical characteristics of the particular parcel of land and not the result of actions of the subdivision where literal enforcement of this chapter would result in undue hardship. The granting of waiver(s) ... rests with the sound discretion of the commission and council, on a case by case basis.

Similarly stated relevant standards for the analysis of waiver requests are set forth in KMC §16.08. 070.L and KMC §16.04.120.

- 2.2.8. **Four (4) waivers are submitted for the Project:** These include waivers to minimum lot size, setback (side yards), height, and floor area ratio (FAR) limitations. These waivers were requested by the Applicant consistent with KMC §16.04.120, §16.08.080 and §17.124.050, in part, as the literal enforcement of city code in the context of the special physical characteristics and conditions affecting the property would result in undue hardship. In particular, the Hotel site has a large slope with a grade differential of approximately thirty-seven feet (37') from Trail Creek at the south end of the lot to the north end along River Street. The site is constrained by the river to the south and the City desires to setback structures from riparian and flood areas. The City also desires to setback structures from State Highway 75 (SH75) in this location to help preserve the entry to town and minimize shading of the highway during winter months. Further, the grade along SH75, future Idaho Transportation Department (ITD) bridge and highway expansion plans, and a desire for no access onto SH75 in this location create unique conditions for development.
- 2.2.9 **Floor Area Ratio:** KMC §17.124. 050.A states: "Hotels may exceed the maximum floor area [0.5] ... requirements of this title subject to ... [a] Planned Unit Development ... which specifically outlines the waivers to bulk regulations requested." A subarea analysis is also required in the review process (KMC §17.124.050. A.2). The total developed gross floor area of the Project, as defined in KMC §17.08.020, is proposed to not exceed a FAR of 1.57 exclusive of basement areas and underground parking. Total building area when each of the three (3) basement and parking garage levels and four (4) hotel stories are calculated in aggregate, total approximately 131,881 square feet for the Project.
- 2.2.10 **Height:** KMC§17.124.050.A states: "Hotels may exceed the ... height ... requirements of this title subject to ... [a] Planned Unit Development ... which specifically outlines the waivers to bulk regulations requested." A subarea analysis is also required in the review process (KMC §17.124.050.A.2). As noted, the Project Site has a large slope from Trail Creek at the south end of the lot to the north end along River Street. The hotel is proposed as a four-story structure on River Street that then stair steps and terraces down to three floors near Trail Creek. Height Analysis, the maximum height of the building along River Street does not exceed forty-eight feet (48') and the building scales down to approximately twenty-eight (28') closer to the river on the south end of the property. The exception to this height analysis is in the center of the structure where 4-stories of hotel use are sandwiched between two public amenities (employee housing and a roof top bar for the public). At this more central site location, the existing grade drops at a fairly acute angle resulting in a portion of the building having a maximum height of seventy-two feet (72') as measured from existing grade. In comparison to both the built Limelight hotel and approved Bariteau / Harriman Hotel on

opposing corners, the height of the proposed Project will be lower and more closely align to the fourth-floor elevation of each of these buildings.

2.2.11 **Setback:** No rear/river or front setback waivers are requested. However, a waiver of the side yard setbacks is requested. KMC §17.124.050.A, subsections 1 and 2, specifies that a PUD and Subarea Analysis process shall be used in the granting of waivers to bulk regulations for hotels. KMC §17.12.030 sets forth the following minimum side yard setbacks: (A) the greater of one-foot (1') for every three-feet (3') of building height, or five feet (5') for the west side setback; and (B) Twenty-five foot (25') to thirty-two foot (32') setbacks adjacent to State Highway 75 (SH75), as calculated based on the adjacent right of way width. The Project, as amended, proposes a 31.3' average setback along SH75 with portions of the building as close as 20' from edge of SH75 ROW. See the Setback Analysis for exact details on subject building setback intrusion adjacent SH75. On the west-side of the structure, portions of the building are proposed as close as 11.8' from the neighboring west property line. City approves the following side setback waivers: a minimum of sixteen feet (16') west side yard setback waiver and a minimum east side setback of twenty feet (20') provided the average east side setback is greater than thirty-one feet (31').

2.2.12 **Project Details:** Details of the Project include both narratives and maps. Narratives include a written project description, development plan, project analysis, social impact study, schedule, parking analysis, traffic study, employee housing plan, Subarea Analysis, and contextual hotel component analysis. Exhibit maps include plans, elevations, sections, sun study, height analysis, civil drawings, landscape plan, exterior color palate, dark sky compliant fixtures, traffic study diagrams, plat map, and public way improvements. Also provided are application forms, analyses of code compliance, soils report, and a waiver list.

2.3 Findings Summarizing Public Comment Concerns and Objections to and Benefits of the Application:

The City Council having reviewed the written comment and having listened to the oral comments presented by the public summarizes the same as follows:

- Objections to the granting of waivers to the regulations and standards of the subject Tourist zone; and
- Objections to Building edifice bulk, setback location and height
- Concerns for traffic circulation and safety regarding Project access to and use of River Street on the north, Highway 75 on the east and the intersection of Highway 75 and River Street and concern with the unknown improvements Idaho Transportation may make to Highway 75; and

- Concerns with parking, loading and vehicular access when the Project is operational; and
- Concerns regarding the look of the Gateway entrance to the City; and
- Concern about the character of the City
- Benefit of increase in tourism
- Benefit of additional employment opportunities and on-site employee housing
- Benefit of increased tax revenue
- Benefit of the addition to this tourist community of well-designed and landscaped hotel facility with natural area enhancements and public use availability features.

City Council Findings Regarding Standards Findings Planned Unit Development Conditional Use Permit:

The City Council findings having reviewed the Project Master Plan Version 3 and 4, as well as public comment, staff analyses, and agency/peer review/department inputs supports the findings as set forth in Sections 2.4, 2.5 and 2.6 below regarding the Planned Unit Development Conditional Use Permit standards:

2.4 PUD Ordinance Standards and City Evaluation Compliance Analysis and Findings:

Planned Unit Development (PUD)

EVALUATION STANDARDS: 16.08.080

The standards set forth in this section shall apply to review of all PUD conditional use permit applications. The standards shall be used to review and evaluate the proposal in comparison to the manner of development and effects of permitted uses and standard development allowed on the property in question. Modification or waiver from certain standard zoning and subdivision requirements may be permitted subject to such conditions, limitations and/or additional development standards, pursuant to section 16.08.130 of this chapter, as the city council may prescribe to mitigate adverse impact at the proposed planned unit development, or to further the land use policies of the city, or to ensure that the benefits derived from the development justify a departure from such regulations. Where the city council determines that conditions cannot be devised to achieve the objectives, and/or the standards contained in this chapter are not met, applications for conditional use permits shall be denied. The city council shall make findings that each of the following evaluation standards have been met. The evaluation standards are as follows:

KMC § 16.08.080.A

Minimum lot size of three (3) acres. All land within the development shall be contiguous except for intervening waterways. Parcels that are not contiguous due to intervening streets are discouraged. However, the commission and the council may consider lands that include intervening streets on a case by case basis. The commission may recommend waiver or deferral of the minimum lot size, and the council may grant such waiver or deferral only for projects which: ...4. For a hotel which meets the definition of "hotel" in section 17.08.020, "Terms Defined", of this code, and conforms to all other requirements of section 17.18.130, "Community Core District (CC)", or section 17.18.100, "Tourist District (T)", of this code. Waivers from the provisions of section 17.18.130 of this code may be granted for hotel uses only as outlined in section 17.124.040 of this code. Waivers from the provisions of section 17.18.100 of this code may be granted for hotel uses only as outlined in section 17.124.040 of this code.

City Findings: The Project Site is approximately 1.09 acres and does not meet the minimum standard of (3) acres for a PUD. However, as noted herein below, the City finds that this requirement may be waived consistent with KMC §16.08.080.A.4 as allowed for hotels. Specifically, this Project:

- (A) Meets the definition of hotel as set forth in KMC §17.08.020. The Project consists of ninety-two (92) rooms, includes on site food and beverage service with kitchen facilities, common reservation and cleaning services, meeting room space, combined utilities, on site management and reception services, access to all sleeping rooms through an inside lobby supervised by a person in charge no less than eighteen (18) hours per day, and adequate on site recreational facilities. There are no other residential uses proposed in connection with the hotel operation, other than the proposed 23 beds of employee housing.
- (B) Complies with the purpose of the Tourist zone as set forth in KMC §17.180 by providing the opportunity for tourist use. Consistent with the sub-area analysis and Gateway Study Excerpts, as set forth in Exhibit A, the Project is compatible both in design and use with the surrounding uses and development.
- (C) Allows the granting of waivers for hotel-related Tourist District Floor Area Ratio (FAR), setback, and height dimensional standards as outlined in KMC §17.124.040. The Project proposes to exceed the 0.5 Tourist Zone permitted Gross FAR as set forth in KMC §17.124.040.A and may exceed its FAR maximum in accordance with the pertinent code provisions allowing for fourth floor hotel uses, as set forth in KMC §17.124.040.B.3 and by reference KMC §17.124.050. In accordance with the aforementioned and also precedent (e.g., entitled Bariteau / Harriman Hotel site at 300 E. River Street across SH75 was also approved as a PUD on an approximately 0.9-acre site and the Limelight was approved as a PUD on an approximately 1.09-acre site), the City finds this evaluation standard to have been met.

The City Council further finds: That it is the intent of the City that paragraph 4 of subsection A of KMC Section 16.08.080 exclusively and directly applies to Hotel planned unit development waivers. That paragraph 4 of subsection A of KMC Section 16.08.80 requires that developments which meet the definition of a Hotel in KMC section 17.08.020 and conform to the requirements of KMC section 17.18.100 be granted waivers of the three (3) acre minimum lot size for their PUD Development. That KMC Section 17.18.100.A is a statement of purpose of the City’s Tourist District and as such states the purpose of the district to provide the opportunity for high density residential and tourist use and development which can be justified as a primary use within the district. There is a general but not specific reference to the specific dimensional requirements of the Zoning ordinances in KMC Section 17.18.100. The zoning ordinance requirements of KMC section 17.124.040, which refers to KMC section 17.124.050, are not mandated by KMC Section 17.18.100 unless a waiver of 17.18.100 is required. In this instance the subject PUD application is a hotel use only, a waiver of 17.18.100 is not required, and the PEG Ketchum Hotel complies with the intent, purpose, and use requirements of the Tourist Zone set forth in KMC Section 17.18.100.

KMC § 16.08.080.B and KMC § 16.08.080.D

KMC § 16.08.080.B: *The proposed project will not be detrimental to the present and permitted uses of surrounding areas.*

KMC § 16.08.080.D: *The development shall be in harmony with the surrounding area.*

City Council Findings: The proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street. Further, the proposed hotel project is consistent with current Tourist Zoning District zoning allowances for hotels. Each of the attendant uses, including restaurant/bar, meeting rooms, and employee housing are also permitted in the Tourist Zoning District. The site was defined as Site 2 in the 2007 Gateway Scale and Massing Study and was identified as a priority urban infill site for a potential hotel development, inclusive of a public plaza near the project intersection with SH75. As such, the Property is in the Ketchum Urban Renewal District (KURA) Revenue Allocation Area. The Project Site borders three other hospitality focused uses. The Limelight Hotel is located directly across River Street to the North. The Best Western Hotel is located diagonally across Main Street from the Project Site. The Planned Future Harriman Hotel by Bariteau is located directly across Main Street to the East. The two closest properties to the West are commercial office buildings, (220 and 200 East River Street). The site is bordered by commercial uses to its North, East, and West and is separated from the multifamily residential uses to the South by Trail Creek. Accordingly, the City finds this Project will (A) not be detrimental to the present and permitted uses of surrounding areas and (B) be in harmony with the surrounding area.

KMC § 16.08.080.C

The proposed project will have a beneficial effect not normally achieved by standard subdivision development.

City Council Findings: The proposed hotel will benefit the city in ways not normally achieved by standard subdivision. These include public access to the river and, open space in excess of thirty-five percent (35%), and access to a 3,000 square foot bar patio terrace, which features landscaping and solar exposure unique for a built project. The Project will have significant economic and public amenity benefits to Ketchum that would not be achievable on this site without the PUD process due to the constraints created by the topography of the site (37' differential in grade between front property line on River and rear property line along Trail Creek), access constraints on the east side due to the east side bordering SH 75, and development constraints due to the south side of the property being Trail Creek. The provision of waivers through the PUD process allows the design of the building, interior layout, operations and programmatic aspects of the hotel to infuse economic and public benefits beyond what would be accomplished by hotel rooms alone.

Economic benefits of the development include local option taxes generated by the 92 new hotel rooms that will be booked through the international reach of the internationally recognized hotel brand's reservation network. The hotel will feature a number of public amenities, including a street front restaurant and lounge, banquet/meeting rooms, and a roof top bar with panoramic views of Bald Mountain and Dollar Mountain; there is no other publicly accessible rooftop space in Ketchum city limits with a similarly large footprint (approximately 2,035 net square feet of roof-top Bar Patio on Level 03 and 1,425 net square feet of roof-top Bar Terrace on Level 03 02) or that has 280-degree views and is operational in all four seasons. The hotel will also provide on-site employee housing, with a minimum of 23 beds, in a mix of traditional apartments and dorm style apartment units.

The hotel's inclusion of on-site employee housing will result in the project providing more on-site for employees than any other development in Ketchum city limits and the mix of housing unit styles will, as conditioned herein in §4.10, accommodate employees at different life stages and career stages (seasonal vs. long-term, full-time). Further, although the employee units are located on Lower Level 3 and Lower Level 2, which are partially below grade on the River Street portion of the building, because the grade of the site drops toward the south.

If the rooftop bar and lower floor employee housing units were removed from the project (or if the employee housing were located in a basement) the benefits of this project to the community would be lessened; the employee housing and roof-top amenity comprise approximately 12,883 square feet of the approximately 131,881 gross square foot development. Due to the site constraints, the allowance for waivers from the typical standards of the code is what makes inclusion of these public benefits truly benefits and is what makes these benefits possible.

Accordingly, the City finds the PUD process as having a beneficial effect not normally achieved by standard development.

KMC § 16.08.080.D

The development shall be in harmony with the surrounding area.

City Council Findings: The City finds this Project to be in harmony with the surrounding area. Details of this finding are presented jointly with KMC §16.08.080.B findings above stated.

KMC § 16.08.080.E

1. *Densities and uses may be transferred between zoning districts within a PUD as permitted under this chapter, provided, the aggregate overall allowable density of units and uses shall be no greater than that allowed in the zoning district or districts in which the development is located. Notwithstanding the above, the commission may recommend waiver or deferral of the maximum density and the council may grant additional density above the aggregate overall allowable density only for projects which construct community or employee housing and which:
 - a. *Include a minimum of thirty percent (30%) of community or employee housing, as defined in section 16.08.030 of this chapter; and*
 - b. *Guarantee the use, rental prices or maximum resale prices thereof based upon a method proposed by the applicant and approved by the Blaine County housing authority and/or the Ketchum city council.**
2. *Application for waiver or deferral of this criteria shall include a description of the proposed community or employee housing and the proposed guarantee for the use, rental cost or resale cost.*

City Council Findings: N/A. The Applicant is not requesting any density transfers.

KMC § 16.08.080.F

The proposed vehicular and nonmotorized transportation system:

1. *Is adequate to carry anticipated traffic consistent with existing and future development of surrounding properties.*
2. *Will not generate vehicular traffic to cause undue congestion of the public street network within or outside the PUD.*
3. *Is designed to provide automotive and pedestrian safety and convenience.*
4. *Is designed to provide adequate removal, storage and deposition of snow.*
5. *Is designed so that traffic ingress and egress will have the least impact possible on adjacent residential uses. This includes design of roadways and access to connect to arterial streets wherever possible, and design of ingress, egress and parking areas to have the least impact on surrounding uses.*
6. *Includes the use of buffers or other physical separations to buffer vehicular movement from adjacent uses.*
7. *Is designed so that roads are placed so that disturbance of natural features and existing vegetation is minimized.*
8. *Includes trails and sidewalks that create an internal circulation system and connect to surrounding trails and walkways.*

City Council Findings: The documents provided by the Applicant address how vehicular and pedestrian traffic will circulate in and around the proposed Project. The SH75 ingress/egress diagram and associated access analysis addresses the safety, aesthetics, grading limitations, and Trail Creek Impacts, which was requested by a member of the public, duly analyzed by the City, and determined by the City after hearing from the project engineer, as well as the city independent traffic engineering consultant as not being in the public interest. No operational issues are found to exist with Project vehicular ingress / egress being on River Street with acceptable level of service (LOS) noted for each circulation component (parking garage access, hotel pick-up/drop-off, and SH75 approaches). See AECOM memo. Foremost of these exhibits is the detailed traffic impact study (TIS) prepared by Hales Engineering, which AECOM (on behalf of the city) has provided a peer analysis and also includes River Street Public ROW Civil Plan Encroachment Options 1 and 2 that feature the Applicant's circulation plan, sidewalk improvements, and proposed snowmelt system for the Project. There are two excerpts of professional studies. The first is an excerpt from the Idaho Transportation District (ITD) Record of Decision (ROD) and proposed Fiscal Year 2025 (FY25) road improvements to State Highway 75 (SH75) adjacent the property between the Trail Creek Bridge and River Street. These include a 3-lane urban section with curb, gutter and sidewalk. Importantly, the middle lane features a left turn lane for north bound traffic on SH75 that would permit adequate queuing and protected westbound (WB) turning movement onto River Street and the Project. The second excerpt is from Vitruvian and references a city-sponsored recommendation to upgrade the unsignalized crossing at SH75/River Street (north-side of intersection between Limelight Hotel and the Best Western) with a Rectangular Rapid Flashing Beacon (RRFB) to enhance pedestrian safety. After receiving input from ITD, including the August 8, 2019 Minutes of the Ketchum Transportation Authority, KCC recommends that enhancements to pedestrian safety are better accommodated with a HAWK system on River Street than an RRFB system. Also proposed to improve vehicular LOS movements is making east bound (EB) and WB River Street at the intersection with SH75 right turn only movements (signing and striping required). To further reduce traffic and to meet City sustainability goals, as expressed throughout the Ketchum Comprehensive Plan, the operation of the hotel will integrate strategies to reduce vehicular impact on Ketchum's streets from this Project. These include strategies such as a Guest Shuttle (airport and to local destinations), Employee Car Share Program, and Employee Transit Passes. As conditioned herein, the City finds this standard to have been met. The Project will be adequately served by necessary vehicular and nonmotorized transportation systems.

KMC § 16.08.080.G

The plan is in conformance with and promotes the purposes and goals of the comprehensive plan, zoning ordinance, and other applicable ordinances of the city, and not in conflict with the public interest:

1. Pursuant to subsection 16.08.070D of this chapter, all of the design review standards in chapter 17.96 of this code shall be carefully analyzed and considered. This includes detailed analysis of building bulk, undulation and other design elements. The site plan should be sensitive to the architecture and scale of the surrounding neighborhood.
2. The influence of the site design on the surrounding neighborhood, including relationship of the site plan with existing structures, streets, traffic flow and adjacent open spaces, shall be considered.
3. The site design should cluster units on the most developable and least visually sensitive portion of the site.

City Council Findings: As previously set forth in the findings for KMC §16.08.080 subsections B, D and F (above), the Project as conditioned, will be adequately served by necessary vehicular and nonmotorized transportation systems and will be in harmony with the surrounding area. The Project will pay applicable fees, from Local Option Taxes (LOT) for construction materials to applicable building permit fees and connection fees for such items as water and sewer connections. The Conditionally Granted Project shall pay the plan check and building permit fees that are in effect at the time of plan check and building permit submittal and all fees required by law prior to issuance of building permit. Further, details have been added as conditions of approval to assure that Marriott or other reward stays pay LOT to the city. Pursuant to KMC §16.08.070.D, all of the design review standards set forth in KMC §17.96 are conditionally attached to the City's approval of the Planned Unit Development and are memorialized in the Project Development Agreement. Staff has analyzed Project Compliance with the Ketchum Comprehensive Plan subsection, that the Project both conforms with and promotes the purposes and goals of the comprehensive plan. The Applicant's site design drawings, Project massing has been carefully designed with a four-story bench design on River Street that terraces down (southward) to follow the topography drop from River Street to Trail Creek. Subject terraces then become gathering spots for guests and the public to enjoy the outdoor and take in the scenic views from the hotel. As noted by the Applicant, "the massing also provides for a façade that steps in and out of plane, which is enhanced by a layer balconies and articulation of those forms. The building pulls back over 35' from Trail Creek and has minimal visual impact on Forest Service Park." The building footprint near the front property line is setback 15' from the River Street frontage where it has an appropriate relationship to the sidewalk and street scape. The footprint is then pulled back to respect the riparian setback along Trail Creek to minimize the impact of the new building adjacent to a natural feature. Site landscape design has been designed to complement the bench topography and creek bank features of the site." As conditioned herein, this standard has been met.

KMC § 16.08.080.H

The development plan incorporates the site's significant natural features.

City Council Findings: Three significant natural features are recognized by the City, including: the site's location on a bench; Trail Creek along the south property line; and, the 360-degree scenic views from the site including Bald Mountain and Dollar Mountain. The hotel has been designed to step down, following the bench topography, creating rooftop terraces and public spaces that take advantage of solar orientation and available views. The landscape plan includes pedestrian pathways for hotel guest and the public to access Trail Creek viewpoint areas set outside of the riparian zone setback. As conditioned herein, this standard has been met and the Master Plan is found to properly incorporate the site's significant natural features.

KMC § 16.08.080.I

Substantial buffer planting strips or other barriers are provided where no natural buffers exist.

City Council Findings: As noted in KMC §17.12.040, 21,362 square feet of the property will remain open space, which is forty-three percent (45%) of the 47,591 square foot site. The Project has greater than the required thirty-five percent (35%) minimum open space set forth in the KMC for the Tourist Zoning District. Three notable buffer strips that benefit the public are proposed. The first is the twenty-five foot (25') setback from SH75/Main Street that will be landscaped. Subject setback, averages 31.3'. Portions of this area are proposed to include an outdoor dining patio toward the intersection of Main Street and River Street and will have landscape and architectural barriers such as raised planters, raised water features, and architecturally integrated railings separating the dining patio from the street. The second buffer is a twenty-five foot (25') Riparian Easement along with a ten foot (10') Utility Easement that combine to create a thirty-five foot (35') setback from the property line adjacent Trail Creek. The third design element includes the placement of a buffer landscape island between the hotel's Porte Cochere drive along River Street. Given the significant public amenities integrated into the hotel design and invitation of the public into the building, the City finds a favorable exchange to exist with details to be enumerated in the pending River Street encroachment permit request by the applicant. This design element is subject to a separate Encroachment Permit application that will be reviewed by City concurrently with the PUD. As conditioned herein, this standard has been met.

KMC § 16.08.080.J

Each phase of such development shall contain all the necessary elements and improvements to exist independently from proposed future phases in a stable manner.

City Council Findings: The Applicant proposes to develop the Project in a single phase. To assure that that the development contains all the necessary elements and improvements to exist in a stable manner, the City finds this standard (KMC §16.08.080.J) to be met, provided as a conditioned of the issuance of any Building Permit for the construction of the Project that an appropriate project completion assurance (e.g., an irrevocable letter of credit on a bank acceptable to the City in an amount equal to 130% of engineering estimates of the Master Plan) and all fees required by law prior to and for issuance of a building permit.

KMC § 16.08.080.K

Adequate and usable open space shall be provided. The applicant shall dedicate to the common use of the homeowners or to the public adequate open space in a configuration usable and convenient to the residents of the project. The amount of usable open space provided shall be greater than that which would be provided under the applicable aggregate lot coverage requirements for the zoning district or districts within the proposed project. Provision shall be made for adequate and continuing management of all open spaces and common facilities to ensure proper maintenance.

City Council Findings: As previously noted, 21,362 square feet of the property will remain open space, which is approximately 45% of the 47,591 square foot site. Further, subject rooftop bar also includes patio space plus an additional 1,425 net square feet of landscaped terrace area devoted to public use. The open space, green roofs and patios that are provided exceeds the requirement by more than 8%, which is an amount “greater than that which would be provided under the applicable aggregate lot coverage requirements for the zoning district or districts within the proposed project.” The City finds that subject open space is both adequate and useable and complemented by the Project’s addition of the outdoor roof top bar space with adjacent living garden terrace, which is available to the public and managed and maintained by the Project.

KMC § 16.08.080.L

Location of buildings, parking areas and common areas shall maximize privacy within the project and in relationship to adjacent properties and protect solar access to adjacent properties.

City Council Findings: The City has reviewed the Applicant’s response to this standard of evaluation, including reference to its sun study and height analysis/compatibility view drawings, and generally concurs with the finding that “The Ketchum Boutique Hotel is configured along a northwest spine that has allowed for the building’s mass to be pulled back from the roadway view corridor leading to Main Street. All onsite parking is contained below grade and will have no visual impact on the site. The hotel features an interior courtyard located on level 2 that faces south, the courtyard will be hotel’s ‘private’ exterior amenities space that is reasonably shielded from the view of most adjacent properties. The hotel features many architectural balcony elements that serve to create another layer of structure between the guests and the exterior, enhancing a sense of a perimeter of privacy in those guest rooms. The Sun Studies provided ... demonstrate that the massing of the hotel will have very minimal shade impact on adjacent buildings, only during the December studies do any shadows from the hotel intrude appreciably on any adjacent properties, and in those cases the shadow impacts from [the PEG Ketchum] hotel are not any more intrusive than the affected buildings have on their adjacent neighbors.” As conditioned herein, the City finds this standard to have been met.

KMC § 16.08.080.M

Adequate recreational facilities and/or daycare shall be provided. Provision of adequate on site recreational facilities may not be required if it is found that the project is of insufficient size or density to warrant same and the occupant's needs for recreational facilities will be adequately provided by payment of a recreation fee in lieu of such facilities to the city for development of additional active park facilities. On site daycare may be considered to satisfy the adequate recreational facility requirement or may be required in addition to the recreational facilities requirement.

City Council Findings: Programmed recreation facilities within the Project, include a 1,002 square foot fitness center and a 3,301 square foot outdoor terrace, including hot tubs. The City finds these on-site guest amenities to adequately meet the recreational needs appropriate to the scale of the Project. In addition, the City finds that the proposed use, inclusive of the employee housing units, does not warrant the provision of on-site daycare services.

KMC § 16.08.080.N

There shall be special development objectives and special characteristics of the site or physical conditions that justify the granting of the PUD conditional use permit.

City Council Findings: As noted in the Gateway Study, the City of Ketchum has established special development objectives for the four corners surrounding the intersection of River Street/SH75. The City has reviewed and analyzed this Study and recognizes subject Project Site is on a bench with approximately 37 feet of grade change and without the PUD process would unlikely be developable as a hotel as it would have to have one building along River Street, and a second building at the bottom of the hotel accessible via SH75 Street. This latter access is not desirable for site visibility and safe ingress/egress as attested to by the city's independent traffic consultant upon review of project development drawings, Hales access memorandum, and ITD highway specifications. Accordingly, the City finds there to be special development objectives and special characteristics of the site and its physical conditions that justify the granting of the PUD conditional use permit.

KMC § 16.08.080.O

The development will be completed within a reasonable time.

City Council Findings: Regarding KMC §16.08. 080.J, it is found that this standard is met; provided that a project completion assurance agreement is entered into between the Applicant and City for the Project prior to the issuance of any Building Permit for the construction of the Project.

KMC § 16.08.080.P

Public services, facilities and utilities are adequate to serve the proposed project and anticipated development within the appropriate service areas.

City Council Findings: Street, water, sewer, and fire personnel have met with the Applicant and found that adequate city services are available to serve the Project. The Applicant and the City have also met with ITD regarding the Project and, as conditioned herein, is requesting improvements be installed by the Applicant at the intersection of SH75/River Street as a condition of Certificate of Occupancy. Formally, this will occur upon acceptance by ITD of a specific Encroachment Permit application submitted by the Applicant in conjunction with city recommendations to ITD for approval. Prior to building permit issuance, the Applicant will need will-serve letters from other utility providers (gas, electric, waste and recycling). To date, no issues of service have been identified. The payment of impact, local option tax, and building permit fees pursuant to approved city schedules are required. The City finds this standard has been met. Subject to the conditions set forth herein, public services, facilities and utilities are adequate to serve the Project and anticipated development within this area.

KMC § 16.08.080.Q

The project complies with all applicable ordinances, rules and regulations of the city of Ketchum, Idaho, except as modified or waived pursuant to this section

City Council Findings: KMC §16.08.080 Subsections G and Q both stipulate that the Project conform with and promote the purposes of applicable ordinances and not conflict with the public interest. This Project involves six (6) interrelated permits (floodplain, subdivision, design review, PUD, CUP, and a development agreement), as well as encroachment permits that will be required for SH75 from ITD and for River Street from the Ketchum City. Each of these eight (8) sets of approvals, as well as future compliance of Project construction drawings with other city regulations, such as Building, Fire, and Green Building Codes are required of the Applicant. As conditioned herein, the City finds that this Project complies with all applicable rules and regulations of the City. The City makes this finding in recognition of its previous finding in favor of waiving the three (3) acre minimum PUD eligibility criteria as detailed under KMC §16.08.080.A as allowed for hotels. Further, the City makes this finding in recognition of the following dimensional standard and project waiver analysis for the proposed FAR, height/story, and setbacks proposed for the Project. Further, as noted in general finding 2.2.3 herein, Ketchum’s planned unit development ordinance is intended to encourage the total planning of developments, provide flexibility, and work with unusual or special characteristics of the land or a development project. Notably, KMC §16.08.020.B states, “[i]n the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control.”

2.5 Tourist Zoning District Dimensional Standards and Project Waiver Analysis and City Council Evaluation Compliance Analysis and Findings:

KMC § 17.12.030

Minimum Lot Area & Lot Width: 9,000 square feet minimum & 80’ average.

City Council Findings: The property is 47,249 square feet in size and has a lot width with the one-lot subdivision application that exceeds the minimum lot size and widths required in the Tourist Zone.

KMC § 17.12.030

Minimum Open Space

City Council Findings: That 21,362 square feet of the property will remain open space, which is approximately 45% of the 47,249 square foot site. The Project has greater than the required thirty-five percent (35%) minimum open space set forth in the KMC for the Tourist Zoning District. The City finds that this standard has been met.

KMC § 17.12.030

Setbacks

Front: 15’

Riparian: 25’

SH75: 25’ / 32’

Side: the greater of 1’ for every 3’ in building height, or 5’

City Council Findings: The project complies with the city's 25' riparian and 15' front setback requirements. A waiver of the side yard setbacks is requested. KMC §17.124.050.A, subsections 1 and 2, specifies that a PUD and Subarea Analysis process shall be used in the granting of waivers to bulk regulations for hotels. KMC §17.12.030 sets forth the following minimum side yard setbacks: (A) the greater of one-foot (1') for every three-feet (3') of building height, or five feet (5') for the west side setback; and (B) Twenty-five foot (25') to thirty-two foot (32') setbacks adjacent to State Highway 75 (SH75), as calculated based on the adjacent right of way width. The Project, as amended, proposes a 31.3' average setback along SH75 with portions of the building as close as 20' from edge of SH75 ROW. On the west-side of the structure, portions of the building are proposed as close as 11.8' from the neighboring west property line. The City approves the following side setback waivers: a minimum of sixteen feet (16') west side yard setback waiver and a minimum east side setback of twenty feet (20') provides the average east side setback is greater than thirty-one feet (31').

KMC § 17.12.030

Permitted Gross Floor Area Ratio: 0.5 or greater for hotels.

City Council Findings: The City finds the Project meets the definition of hotel as set forth in KMC §17.08 and, as a consequence, is eligible to exceed listed FAR consistent with the City's previous finding within KMC §17.08.080, subsections B and D. A FAR of 1.57 is proposed for the hotel, which incorporates employee housing and other public amenities within the Project. Significantly, the City has reviewed the Subarea Analysis, the Gateway Study and a Comparative Hotel PUD Summary Chart. The City finds the proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street. The FAR of the Project is significantly less than the CC-Limelight Hotel and Tourist Zone Harriman Hotel Project – neither of which incorporate community housing on the hotel site. The Project Site was defined as Site 2 in the 2007 Gateway Scale and Massing Study and was identified as a priority urban infill site for potential hotel development. As such, the Property is in the Ketchum Urban Renewal District (KURA) Revenue Allocation Area. The allowance of a 1.57 FAR, as herein conditionally approved by the City, is warranted due to special development objectives and special characteristics of the site and its physical conditions. In reaching this finding, the City finds that the proposed FAR, as stipulated, will not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area.

Subject to the approval of the PUD application with conditions as noted herein, the City finds that the Project FAR warrants a waiver and, as a result, complies with this provision of the Tourist Zoning District.

KMC § 17.12.030

Building Height

Maximum Permitted: 35' or greater for hotels

City Council Findings: The Project proposes to exceed the thirty-five foot (35') height limit, which is permissible subject to the city's fourth floor hotel use allowance in the Tourist Zoning District provisions, as set forth in KMC §17.124.040.B.3 and by reference KMC §17.124.050.A and B.6. Evidence in support of the Project height waiver up to seventy-two feet (72') from existing grade and an interpretation that the "hotel" does not exceed four floors are as follows:

- (A) The Project site has a large slope from Trail Creek at the south end of the lot to the north end along River Street. The hotel is proposed as a four-story structure on River Street, and step / terrace down to three and then two stories nearest Trail Creek.
- (B) The KMC does not specify the maximum height of a four-story building. Historic references in the KMC, as well as the top floor plate of the adjoining Limelight Hotel show the hotel fourth floor to equal approximately forty-eight feet (48') while the top of the Limelight hotel penthouse parapet is 73.5'.
- (C) Maximum height of the building shall not exceed 48' when the building is measured from the highest elevation of the property (along River Street) or 72' when building height is measured from the lowest elevation of the property (along Trail Creek), Height Analysis.
- (D) During the transition where the four-story building along River Street steps down approximately thirty feet (30') toward Trail Creek, the forty-eight foot (48') high 4-story building reads like 6-stories at seventy-two feet (72') high. This is permissible consistent with KMC §16.08.020.B and desirable as follows: first, the height of the building at subject central location is below the forty-eight (48') 4-story horizontal plane established by precedent and with the top of the fourth floor at the adjacent Limelight; second, the City recognizes that in this central location of the structure, that the 4-stories of hotel use are sandwiched between two public amenities (employee housing and a roof top bar for the public). The unique characteristics of the site at this location, where the existing grade drops quickly in the center of the site, result in a portion of the building having a taller element of seventy-two feet (72') as measured from existing grade. The City finds this consistent with general finding 2.2.3 herein and KMC §16.08.020.B, "[i]n the event of conflict between this PUD chapter and any other ordinance of the city, this PUD chapter shall control."
- (E) In comparison to both the Limelight and approved Harriman Hotels on opposing corners, the height of the proposed Boutique Hotel is lower and more closely aligned to the fourth floor of each building.
- (F) The Gateway Study and Subarea Analysis indicate that the proposed hotel is both by design and use consistent with envisioned plans for the corner of SH75 and River Street.

- (G) Further, the proposed hotel project is consistent with current Tourist Zoning District zoning allowances for hotels. Each of the attendant uses, including restaurant/bar, meeting rooms, and employee housing are also permitted in the Tourist Zoning District. The Project proposes a height waiver for hotels in the Tourist Zone District and, subject to approval of the PUD application with conditions as noted herein, complies with this zoning standard.

KMC § 17.125.030.H

Curb Cut Permitted: A total of 35% of the linear footage of any street frontage can be devoted to access off street parking.

City Council Findings: There are no curb cuts proposed along State Highway 75. The new configuration results in less than thirty-five percent (< 35%) of the linear footage of street frontage devoted to access the off street parking within the parking garage.

KMC § 17.125.020.A.2 and KMC § 17.125.050

Parking Spaces: Off-street parking standards of this chapter apply to any new development and to any new established uses.

City Council Findings: As analyzed by staff and consistent with KMC §17.125 and the revised Project parking analysis, a minimum of eighty-four (84) parking spaces in the underground parking garage are required. The Project proposes eighty-four (84) spaces in the parking garage. Of the 84 spaces provided for the Project not less than thirteen (13) spaces are reserved for public use and eighteen (18) spaces are reserved for employee housing use. As conditioned herein, the Project complies with this standard.

2.6 Conditional Use Permit Standards Analysis and City Council Evaluation Compliance Analysis and Findings:

KMC § 17.116.030 (A)

The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

City Council Findings: The proposed hotel and each of the attendant uses within the Project, including restaurant/bar, meeting rooms, and employee housing, are permitted uses in the Tourist Zoning District. The characteristics of the conditional use for the Planned Unit Development CUP and the waivers approved herein pursuant to KMC §17.124.050 are compatible with the types of uses permitted in the Tourist Zoning District. The City finds this standard of evaluation has been met.

KMC § 17.116.030 (B)

The conditional use will not materially endanger the health, safety and welfare of the community.

City Council Findings: The Project will be served with essential public services and facilities, an acceptable level of service for traffic operations and pedestrian safety as set forth in the applicable findings noted in §16.08.080.F and §17.116.030 (B). As conditioned herein, the City finds this standard has been met.

KMC § 17.116.030 (C)

The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.

City Council Findings: The City found in KMC §16.08.080.F herein above that the Project will be adequately served by necessary vehicular and nonmotorized transportation systems. This finding was made after reviewing includes documents from the Applicant that address how vehicular and pedestrian traffic will circulate in and around the proposed Project. Foremost of these exhibits is the detailed traffic impact study (TIS) prepared by Hales Engineering, which AECOM (on behalf of the city) has provided a peer analysis and documents which include the River Street Public ROW Encroachment details that feature the Applicant’s circulation plan, sidewalk improvements, and proposed snowmelt system for the Project and the two excerpts of professional studies. The first is an excerpt from the Idaho Transportation District (ITD) Record of Decision (ROD) and proposed Fiscal Year 2025 (FY25) road improvements to State Highway 75 (SH75) adjacent the property between the Trail Creek Bridge and River Street. As conditioned herein, the City finds this standard to have been met. In particular, three off-site mitigation measures that will be required as a condition of development, including:

- (A) Developer to accommodate a northbound left-turn lane plus taper at River/Main. The developer will need to coordinate with ITD to determine where the west edge of SH-75 will be and whether ITD will accept temporary paving. The developer would install sidewalk, curb and gutter to the city’s standard. AECOM suggests that “ITD and the City consider creating an opposing left-turn lane and better aligning the approach and departure lanes through the intersection. In addition, it’s understood that this will help prevent queuing and also be a safety improvement.
- (B) Developer to install “right-turn only” signs on the eastbound and westbound approaches (City would likely pay for the cost on the westbound approach).
- (C) At the discretion of the Ketchum City Council, the developer shall install a HAWK system on the crosswalk on the north leg. No crosswalk required on the south leg. However, as noted by AECOM “Before constructing a HAWK signal at River Street, an engineering study should be performed using the guidance provided in Section 4F.01 of the MUTCD.”

KMC § 17.116.030 (D)

The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.

City Council Findings: Consistent with the findings made for KMC §17.116.03 subsections B and C, the City finds this standard to have been met.

KMC § 17.116.030 (E)

The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Section.

City Council Findings: The proposed conditional use is supported by the following goals and policies of the 2014 Comprehensive Plan. As noted herein, the proposed conditional use does not conflict with the policies of the Comprehensive Plan or the basic purposes of Chapter 17.116 Conditional Uses.

2.7 City Council Findings Regarding Applicant’s PUD Bulk Area Waivers:

- 2.7.1 The Applicant’s Project includes waivers to the floor area ratio, side yard setbacks, and height requirements and, subject to compliance by the Applicant with conditions as noted herein, the Project complies with each of the Tourist Zone dimensional standards for hotels.
- 2.7.2 The proposed Planned Unit Development and Conditional Use Permit Application meets the standards of approval under KMC Title 16 and Title 17, subject to conditions of approval.
- 2.7.3 The Project may exceed the maximum floor area, height, setback or minimum lot size requirements of Title 17 KMC, subject to a planned unit development having been prepared for the Project’s proposed hotel and subject to approval by the City Council which outlines the waivers to bulk regulations requested.
- 2.7.4 All height and bulk Project limitations shall be in accordance with Tourist District except those items waived as an incident of the PUD Development Plan approval. The approved Project plans illustrate areas where buildings may exceed height and bulk limitations. As conditioned herein, the City refers to the zoning and subdivision waivers set forth in these PUD Findings.

**III.
CONCLUSIONS OF LAW**

The following are the legal principles that provide the basis for the Planning and Zoning Commission’s decision which the Commissioners have applied to the facts presented at the hearing of the above entitled matter:

- 3.1 The City is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code; and
- 3.2 The City pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code has the authority to enact the Ordinances and regulations which the City has exercised and approved Ordinances codified in the Ketchum City Code (“KMC”), and which are identified in Section II of these Findings of Fact, and which are herein restated as Conclusions of Law by this reference, and which City Ordinances govern the Applicant’s Project Applications for the Development and use of the Project Site.
- 3.3 The City pursuant to Idaho Code Section 67-6515 has the authority, which it has exercised by ordinance, codified at Chapter .08 of Title 16 of the KMC, which is separate from its zoning ordinance for the processing of applications for planned unit development permits.
- 3.4 KMC section 16.08.120 C provides that prior to final approval of a PUD conditional use permit, the City Council may require a written agreement executed by the Applicant to secure performance of any requirement or condition to be imposed as part of the approval, including, but not limited to Development and may also require recordation of documents establishing and guaranteeing the operation and maintenance of the Project; and
- 3.5 The Project Applications, which includes waivers to the floor area ratio, side yard setbacks, and height requirements is governed under KMC Sections 16.08.020 B, 16.08.030, 16.08.040, 16.08.070, 16.08.080 and 17.124.050 are reviewed and considered by the Council in accordance with the following:
 - 3.5.1 In the event of a conflict Chapter 8 of Title 16 KMC controls over any other City ordinance; and
 - 3.5.2 A planned unit development involves a development of land in which the standard land use regulations of the City may be modified or waived in order to promote beneficial development of an entire tract of land in conformance with an approved planned unit development conditional use permit accentuating usable open space, recreational uses, public amenities, community housing, and harmonious development with surrounding properties and the city at large; and
 - 3.5.3 Any person wishing to develop a planned unit development shall comply with the requirements of chapter 8 of Title 16 KMC in addition to the zoning, subdivision and other applicable laws, ordinances, regulations and rules, subject to any modification or waiver granted as part of the planned unit development (PUD) conditional use permit; and

- 3.5.4 The Planning and Zoning Commission can make recommendations and the City Council has authority to grant waivers or deferrals of any of the requirements of sections 16.08.070 and 16.08.080 KMC on a case-by-case basis when the waiver or deferral will not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area; and
- 3.5.5 The proposed Planned Unit Development and Conditional Use Permit meets the standards of approval under Title 16 and Title 17 KMC, subject to conditions of approval.

IV. ORDER OF DECISION

Based upon the above and foregoing Findings of Fact/Conclusions of Law and good cause appearing from the record, IT IS HEREBY DECIDED THAT THE FOLLOWING ORDERS BE ISSUED:

Order No. 1: PEG Ketchum Hotel, LLC Application for a Planned Unit Development Conditional Use Permit Version 3 Master Plan (“Project”) for a hotel development on a 1.09-acre site located at the southwest corner of the State Highway 75 and River Street intersection at 280 E. River, (the “Project Site”) inclusive of a request for waivers to minimum lot size, setback (side yards), height, and floor area ratio (FAR) limitations (the “Conditionally Granted Project”) is granted subject to and contingent upon the following terms and conditions:

- 1.1 **Condition No. 1 Revised Master Plan West Side Set Back:** Applicant shall revise the Version 4 Master Plan with a redesign of the subject Hotel structure within the same locations on the north, east and south with an additional setback on the west side of four feet four inches (4’-4”) from the property line than is shown in Version 3 Master Plan; and
- 1.2 **Condition No. 2 Emergency Services Conditions:** The following are emergency services and safety terms and conditions:
 - 1.2.1 **Completion of Fire Improvements:** The City Building Official or the City Fire Marshal may withhold building and/or fire inspection approval for any phase of construction until all necessary components of the water and/or fire alarm system sufficient to provide protection for that portion of the Conditionally Granted Project are complete.
 - 1.2.2 **Fire Access During Construction:** Vehicle parking and material storage during Conditionally Granted Project construction shall not restrict or obstruct public streets or access to any building. Emergency vehicle access shall be maintained as required by the Fire Chief. Once construction begins on the second floor and above, 26-foot aerial

ladder truck access is required along one entire side of the building, in a location approved by the Fire Marshal, for evacuation of injured persons from upper floors. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times.

1.2.3 **Fire Code Requirements:** The Conditionally Granted Project shall comply with all the terms and conditions set forth in the Ketchum Fire Department Pre-application Requirements Memo dated June 24, 2019 from Tom Ancona, Assistant Chief & Fire Marshall, inclusive of subsequent amendments thereto, as well as all 2012 International Fire Code requirements and any additional specific City Building (Chapter 15.04 and 15.06) and Fire Ordinances (Chapter 15.08).

1.3 **Condition No. 3 ROW Improvements Conditions:** The following ROW Improvements are required of the Applicant:

1.3.1 **DIG:** The Applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City ROW to be reviewed and approved by the City Streets Department.

1.3.2 **TURP:** The use of City right-of-way for construction which includes the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”).

1.3.3 **River Street Encroachment Permit Improvements:** KMC §17.96.030.C states: “The City Council shall approval all permanent encroachments within the City-owned ROW associated with a development Conditionally Granted Project.” Applicant has made application as a part of the Conditionally Granted Project to the City for a license to encroach into the River Street Public Right of Way (“River Street ROW”) with a preference for Civil Plan Option 1, as set forth in the 1/21/20 design update which includes the following improvements: guest pick-up/drop-off, underground utilities, landscaping, street trees with decorative tree grates, public art, bike racks, sidewalks, pedestrian walkway lighting, and street lighting, and related improvements along River Street, pursuant to KMC §12.08.040. Further, the Applicant proposes that all walkway and driving surfaces within this encroachment area be hooked into its private boiler or similar snowmelt system within the Conditionally Granted Project mechanical room. The snow melt system is proposed to be operational every winter after the Hotel Operations begins operations. Final approval of the River Street ROW improvement plans is required and is subject to review and approval by the Ketchum City Council through a separate encroachment agreement. If approved via separate City encroachment process, such order or decision on encroachment,

including any and all conditions thereon, is hereby incorporated by reference and made a part of these findings.

1.3.4 **SH75 Encroachment Permit:** ITD has an approved Record of Decision (“ROD”) that includes a 3-lane section with a six-foot (6’) wide sidewalk abutting the Subject Real Property. Subject ITD improvements to the SH75 ROW are proposed to be installed by ITD in Fiscal Year 2025 with road work in the vicinity, at the earliest, occurring in October of 2025. The installation of these SH75 Improvements by ITD and, particularly, the striping of a dedicated left turn lane West Bound onto River Street with adequate queuing for cars turning onto River Street is important to traffic flow both along SH75 and into the Conditionally Granted Project.

1.3.4.1 Given the Applicant’s timeframe for construction and Certificate of Occupancy, subject SH75 work will not be conducted by ITD prior to the Developed Conditionally Granted Project and the commencement of Hotel Operations opening. Given that the City finds that a center turn lane with adequate queuing of approximately fifty to one hundred feet (50’ – 100’) is necessary for the SH75/River Street intersection to retain its current Level of Service (“LOS”) for vehicular car movement, therefore the Applicant shall file with ITD an application for an encroachment permit. The Applicant and City shall work together to attain approval from ITD for the construction and striping of a partial center turn near the River Street intersection north of the Trail Creek bridge. This condition includes the City’s retaining of authority to modify the traffic patterns on State Highway 75, specifically the left turn lane traffic flow, in the event the initial traffic patter instituted by the Idaho Department of Transportation is inadequate. The Applicant shall pay for engineering, traffic control and construction costs for subject SH75 improvements adjacent to the Conditionally Granted Project.

1.3.4.2 Further, to avoid excessive delays for East Bound traffic on River Street, the Applicant shall work with the City and ITD to install appropriate signage and improvements to allow only a right turn onto southbound SH75 at this intersection.

1.3.4.3 **Pedestrian Safety:** To help assure pedestrian safety and consistent with KMC, at the discretion of the Ketchum City Council upon the recommendation of the Ketchum Transportation Authority and the city’s peer review engineering firm (AECOM), the Applicant shall work with the

City and ITD to upgrade the unsignalized SH75 and River Street crossing (on north-side) to include a HAWK system. The circulation design shall meet all standards as specified in KMC §17.96.060.G. Further, as recommended by AECOM, “Before constructing a HAWK signal at River Street, an engineering study should be performed using the guidance provided in section 4F.01 of the MUTCD.”

- 1.3.5 **Letter of Credit:** The Applicant shall provide an irrevocable letter of credit to the City for the aforementioned ROW Improvements affecting both the SH75 and River Street ROWs.
- 1.4 **Condition No. 4 Terrace Walls:** Construction of terrace walls or features of the outdoor dining patio with landscaping and architectural features adjacent to SH75 may be subject to future design review at the time the application is filed for approval at the discretion of the Administrator.
- 1.5 **Condition No. 5 Time Limits:** The following are the time limits that govern this Conditionally Granted Project:
 - 1.5.1 Pursuant to KMC §17.96.090, a design review permit is valid for twelve (12) months from the date of final decision on the associated Findings of Fact, Conclusions of Law, and Decision. The Application for the Conditionally Granted Project building permit must be filed within the time as specified in KMC §17.96.090(A)(2). Any extension shall only be as allowed and specified in KMC §17.96.090.
 - 1.5.2 Unless extended by the Ketchum City Council, a building permit shall be issued within twelve (12) months from the date of the last issued Permit.
 - 1.5.3 A certificate of occupancy shall be issued for the Conditionally Granted Project no later than 18 months after the building permit is issued unless the time for completion of the Conditionally Granted Project is extended by the City Council.
- 1.6 **Condition No. 6 Certificate of Occupancy:** No Certificate of Occupancy shall be issued for the use and occupancy of this Conditionally Granted Project until the following items are complete:
 - 1.6.1 All Design Review elements of the Conditionally Granted Project have been completed and approved by the Planning & Building Department; and
 - 1.6.2 All occupancies in the Conditionally Granted Project (residential, commercial, etc.) shall meet the Leadership in Energy and Environmental Design (LEED) Silver or equivalent standards consistent with (A) representations of the Applicant and its 1/21/20

design update Sustainability Integration representations (building system / geothermal, high performance building and site, material and product sustainability assessment) and (B) provisions of the City of Ketchum Green Building Code as set forth in KMC §15.20, inclusive of additional recommendations of the Planning & Zoning Commission during Conditionally Granted Project Design Review; and

- 1.6.3 All proposed encroachments within the City's River Street right-of-way have been installed in accordance with the Conditionally Granted Project Master Plan and approved by the City Engineer; and
 - 1.6.4 All rooftop mechanical and electrical equipment is fully screened from public vantage points and approved by the Planning & Building Department; and
 - 1.6.5 The City's Fire, Utilities, Building, Arborist, Streets, and Planning Departments have conducted final inspections and authorized issuance of Certificate of Occupancy; and
 - 1.6.6 Prior to Certificate of Occupancy, a Parking Plan verifying free public use, the thirteen (13) displaced public parking spaces, and other details at the discretion of the City, shall be provided and approved by Ketchum City Council for the Conditionally Granted Project Parking Garage.
- 1.7 **Condition No. 7 City Permit Performance Fees:** The Applicant shall be charged and shall pay the City Permit Performance Fees for the administration of the City's performance of the Permit Conditions Acceptance Development Agreement.
- 1.8 **Condition No. 8 Conditions to Applicant's Obligations:** The Applicant's obligations hereunder are conditioned upon (1) receiving all the referenced approvals from the City and (2) securing financing as provided in the Permit Conditions Acceptance Development Agreement.
- 1.9 **Condition No. 9 Drainage:** Conditionally Granted Project Drainage system plans shall be submitted to the City Engineer for review and approval. Pursuant to KMC §17.96.060.C, all storm water shall be retained on site, drainage improvements constructed shall be equal to the length of the Subject Real Property boundary lines, and all drainage facilities shall be constructed per City standards. All drainage improvements shall meet the applicable design criteria as specified in KMC §12.04.030.
- 1.10 **Condition No. 10 Utilities Plan:** The Applicant shall submit a Conditionally Granted Project Utility Plan indicating the location and size of water and sewer mains as well as gas, electric, TV and phone services (KMC §17.96.040.C.2c & KMC §17.96.060.D.1-3). Per KMC §17.96.060.D.2, utilities shall be located

underground and utility, power, and communications lines within the Conditionally Granted Project Site should be concealed from public view.

- 1.11 **Condition No. 11 Employee Housing Units:** The Applicant shall either maintain or enter into a master lease with the Hotel Operator for apartment units within the Developed Conditionally Granted Project containing not less than 23 beds, as materially set forth in the 1/21/21 employee housing plan design update, and thereby fulfill and satisfy the employee housing obligation of this Conditionally Granted Project consistent with the KMC.
- 1.11.1 Notwithstanding, consistent with the recommendations of the BCHA and the Commission, the Applicant may as part of the Design Review process seek to amend the employee housing plan configurations to have fewer shared bedroom configurations, improved bathroom to bed ratio, and more individual or couple employee housing suites; and
- 1.11.2 All leased apartment units must be subleased, assigned or otherwise made available to employees of the Hotel Operator on terms and conditions that emphasize the retention of a local workforce consistent with Blaine County Housing Authority (BCHA) community housing guidelines, and providing employee housing at a price point that is commensurate with its employees' ability to pay. The Applicant may enter into a master lease with the Hotel Operator for apartment units containing twenty-three (23) beds and thereby fulfill and satisfy the employee housing obligation of this Conditionally Granted Project consistent with KMC §17.124.050.
- 1.11.3 All leased apartment units must be subleased, assigned or otherwise made available to employees of the Hotel Operator on terms and conditions determined by it in the exercise of its discretion consistent with the goals of retaining a local workforce and adhering to the BCHA community housing guidelines.
- 1.11.4 Apartment leases and the management of this covenant of the developer to provide employee housing in the hotel are subject to annual recertification audits by the City and / or its designee. A fee established by resolution of the City may be charged for this service and associated compliance and monitoring activities.
- 1.12 **Condition No. 12 Hotel Operations:** The core feature of the Conditionally Granted Project is a hotel building operated at an industry acknowledged Four Star Hotel Operations Standard. Adherence to a Four-Star Hotel Operations Standard, particularly during Peak Travel Season, affects the sufficiency of on-site parking and traffic circulation in the immediate vicinity of the Conditionally Granted Project and is a requirement of the occupancy and use of the Developed Conditionally Granted Project.

- 1.13 **Condition No. 13 Lower Parking Demand and Traffic Impacts:** To assure that the Applicant and/or Hotel Operator provides guest shuttle, employee shuttle, car share program, transit passes, carpool program, alternative transportation (such as bike storage for employees), and strict monitoring and management of deliveries and garbage pick-up, as set forth in §4.13, the Applicant and/or Hotel Operator shall include in the irrevocable letter of credit a Lower Parking Demand and Traffic Impacts amount of fifty thousand dollars (\$50,000) for a period of not greater than five (5) years upon which the City Council may request a draw to cover the City's costs in the mitigation of lowering traffic impacts and/or parking demands associated with the Applicant and/or Hotel Operator's failure to comply.
- 1.14 **Condition No. 14 Parking & Loading:** The Applicant shall present a Conditionally Granted Project Parking Plan for review and consideration by the Commission as part of its full Design Review Submittal. Prior to Certificate of Occupancy, a Conditionally Granted Project Parking Plan verifying public use, validation processes for determining parking charges (if any) for the public and the thirteen (13) displaced public parking spaces, and other details at the discretion of the City, shall be provided and approved by Ketchum City Council for the Conditionally Granted Project Parking Garage. The Conditionally Granted Project is required to have a minimum of eighty-four (84) parking spaces in the underground parking garage. Of these spaces, 53 spaces are required for the Four-Star Hotel Operations Standard, 18 spaces are required for employee housing, and 13 are required for the public to mitigate displaced public parking spaces from River Street. Of this total, not less than:
- 1.14.1 Eighteen (18) stalls shall be allocated for employee housing, inclusive of at least one (1) car share vehicle; and
 - 1.14.2 Thirteen (13) underground parking stalls will be available to the general public at no charge to the public while visiting the property or using the conference center, spa, restaurant and bar. Subject to city final approval, a validation system may be employed by the Applicant and/or Hotel Operator with regard to the monitoring of public use of the thirteen, free-of-charge, underground public spaces located in the Conditionally Granted Project Parking Garage; and
 - 1.14.3 Guest shuttle, employee shuttle, car share program, transit passes, and bike storage shall be provided as a part of the Four-Star Hotel Operations Standard.
 - 1.14.4 During and upon completion of the construction of the Conditionally Granted Project, delivery vehicles associated with the Conditionally Granted Project shall not interfere with the regular flow of traffic surrounding the Conditionally Granted Project Site. Delivery vehicles

shall not block the regular flow of traffic along River Street. Accordingly, deliveries will be made (a) preferably with single-unit trucks, not large tractor-trailer trucks; (b) during off-peak hours; and, (c) with hand trucks from the designated on-street loading zone. The Applicant shall strictly monitor and manage deliveries and garbage pick-up to ensure these activities do not occur during peak traffic periods, and that they do not occur simultaneously.

- 1.15 **Condition No. 15 Local Option Tax:** The Conditionally Granted Project shall be subject to the provisions of KMC Section 3.12, relating to local option taxes.
- 1.15.1 **Beverage, Food & Retail Sales:** All retail, food and beverage sales on the Conditionally Granted Project Site and in the Conditionally Granted Project shall be subject to the local option tax.
 - 1.15.2 **Building Materials:** The Conditionally Granted Project and Conditionally Granted Project Site shall be subject to the local option tax on building materials.
 - 1.15.3 **Employee Housing:** The obligation to pay local option tax shall not apply to the rental of employee housing units.
 - 1.15.4 **Future Amendments to LOT Ordinance:** Any amendments to or repeal of Ketchum's Local Option Tax Ordinance and/or Idaho law relating to such local option taxes shall also apply to and modify this Section to the extent of such amendment(s) and/or repeal.
 - 1.15.5 **Hotel Rooms:** All hotel rentals in the Conditionally Granted Project Four-Star Hotel Operations Standard shall be subject to the local option tax, regardless of who makes the reservation, including independent third-party travel agencies or other independent parties.
 - 1.15.6 **Short-term rentals:** All non-hotel rentals, if any, shall be subject to the local option tax on short-term rentals.
 - 1.15.7 **Marriott Rewards:** Reward stay bookings for any evening shall be assigned a room rate in accordance with the Idaho Administrative Procedures Act (IDAPA) and similar Idaho State Tax Commission rules and regulations. In all cases, subject reward stay booking shall be tracked as room revenue and charged the applicable local option tax rate. Local option taxes shall be remitted for all stays.
- 1.16 **Condition No. 16 Waivers:** Setbacks, FAR, and height for the Conditionally Granted Project shall comply with final Design Review for the Conditionally Granted Project as approved by the City. The final plans once approved and integrated into the Permit Conditions Acceptance Development Agreement by the Ketchum City Council illustrate areas where buildings may exceed height

and bulk limitations. As conditioned herein above, Ketchum acknowledges the zoning and subdivision waivers set forth in the PUD Findings.

- 1.17 **Condition No. 17 City Department Requirements:** All requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met. All public improvements shall meet the requirements of the Public Works Department.
- 1.18 **Condition No. 18 Compliance with the Applicable Laws and Ordinances:** All other provisions of Ketchum Municipal Code, Chapters 16 and 17 and all applicable ordinances rules and regulations of the City and other governmental entities having jurisdiction shall be complied with by the Conditionally Granted Project.
- 1.19 **Condition No. 19 Building Permit Requirements:** The building permit for the Conditionally Granted Project shall not be issued until:
 - 1.19.1 The Conditionally Granted Project is subject to completion assurances and a letter of credit, which shall be detailed by the City Attorney and Finance Director and approved by the Ketchum City Council as provided in the Permit Conditions Acceptance Development Agreement governing this Conditionally Granted Project; and
 - 1.19.2 The Conditionally Granted Project shall pay the plan check and building permit fees that are in effect at the time of plan check and building permit submittal and all fees required by law prior to and for the issuance of a building permit.
 - 1.19.3 Storm Water Management Pollution Prevention Plan (“SWPPP”) in accordance with local, state and federal laws and regulations is in place for the Conditionally Granted Project; and
 - 1.19.4 A detailed Conditionally Granted Project Construction Staging and Mitigation Plan which is consistent with the standards specified in Chapter 15.06 of KMC, including provisions for off-site parking for contractors, sub-contractors, and other trades associated with the construction of the Conditionally Granted Project, off-site storage of bulk materials, and required right of way encroachments during construction, shall be submitted and approved by the City Planning and Building Administrator prior to building permit approval.
 - 1.19.5 The Applicant has secured a will serve letter from Idaho, Clear Creek Disposal and other applicable public and private utility providers prior to issuance of a Building Permit.
 - 1.19.6 The River Street Encroachment Permit encroachment agreement shall be obtained.

1.19.7 The Applicant shall cause to be issued in irrevocable letter of credit for the aforementioned Public ROW Improvements affecting both the SH75 and River Street ROWs. The amount of the financial guarantee shall be at 150% of engineering estimates for the guaranteed improvements. Partial and/or full release(s) of the letter of credit may be made upon: (i) Acceptance of subject River Street ROW improvements by the City; (ii) formal commencement of work by ITD of the SH75 ROW improvements adjacent the Subject Real Property and/or upon complete installation of the SH75 ROW improvements adjacent the Property.

1.20 **Condition No. 20 Written Permit Conditions Agreement:** The City Council has approved and the Applicant has entered into a Permit Conditions Acceptance Development Agreement inclusive of all the conditions of approval but subject first to inclusion of conditions of the Planning and Zoning Commission's Design Review of Conditionally Approved Project and which Permit Conditions Acceptance Development Agreement is finalized and Approved by the City Council having completed its public hearing process regarding the same.

1.21 **Condition No. 21 Design Review:** At the time of Design Review the applicant shall be required to address venting of mechanicals that vent toward the western property line. Applicant shall be required to provide detail related to how they are preventing impact to the adjacent property owner.

Order No. 2 Not a Final Action: These Findings of Fact, Conclusions of Law and Order of Decision are not a final action of the City Council on this Planned Unit Development Conditional Use Permit and Waiver Application until the following conditions subsequent have occurred:

- 2.1 There is a final action by the City upon the Design Review of the PUDCUP; and
- 2.2 The City Council has taken final action upon the Permit Acceptance Agreement.

Adopted this 16TH day of February, 2021.

City Council of the City of Ketchum

By: _____
Neil Bradshaw, Mayor

Notice to Applicant

The subject Planned Unit Development/Conditional Use Permit and Waiver Application concerns a site-specific land use request and therefore this notice is provided to the applicant pursuant to I.C. § 67-6535 (3) of the applicant's right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

W:\Work\K\Ketchum, City of 24892\Gateway Hotel .015\AGENCY RECORD\FCO On Remand Drafts\2021-02-16 19-063 FCO by KCC PUD Findings on remand - lh 2-05-2021.docx

Attachment D. Master Record of Proceedings

**BEFORE THE CITY COUNCIL
OF THE
CITY OF KETCHUM**

IN RE:)) PEG KETCHUM HOTEL, LLC)) Applicant for) • Floodplain Development) Permit) • Planned Unit Development) Conditional Use Permit) • Lot Line Adjustment) • Waiver) • Design Review) • Permit Conditions Acceptance) Agreement)) <hr/>	FILE NOS. P19-062 [Floodplain] P19-063 [PUD] P19-064 [Lot Line Adjustment] P20-069 [Waivers] P20-015 [Design Review] MASTER JOINT HEARINGS COMPILED RECORD OF PROCEEDINGS ON REMAND [City Council – February 16, 2021]
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THE ABOVE ENTITLED MATTER coming before the City Council of the City of Ketchum upon remand from the Planning and Zoning Commission’s recommendations issued on December 22, 2020 on remand for joint public hearing held February 1, 2021 continued February 16, 2021 for consideration of these Joint Hearings Record of Proceedings Findings of Fact together with the Findings of Fact, Conclusions of Law and Order of Decision for each of the above referenced matters. The Applicant’s Design Review and Permit Conditions Acceptance Agreement applications were both tabled by the Planning and Zoning Commission subject to the City Council’s action on the above referenced Applications. The City Council having reviewed the entire record on remand and the record established in hearing on February 1, 2021 does hereby make and set forth the Record of Proceedings, Findings of Fact for all above referenced matters as follows:

COMPILED RECORD OF PROCEEDINGS

The compiled record of the proceedings of the above-referenced matters consists of the following, to-wit:

1.1 (Re-designated) Exhibits and documents included in these proceedings on Remand: ¹

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<i>APPLICATION Documents Identified with prefix "A"</i>		
A-1 00001-00002	2019-06-19	Development Agreement Application to City of Ketchum Planning & Building P19-064 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-2 00003-00011	2019-06-19	Design Review Application to City of Ketchum Planning & Building P19-061 dated 6-19-2019 Boutique Hotel PEG Ketchum Hotel LLC.
A-3 00012-00018	2019-06-19	Floodplain Management Overlay Application to City of Ketchum Planning & Building P19-062 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-4 00019	2019-06-19	Lot Line Shift Application to City of Ketchum Planning & Building P19-065 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-5 00020	2019-06-19	Planned Unit Development Conditional Use Permit Application to City of Ketchum Planning & Building P19-063 dated 6-19-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-6 00021-00022	2019-06-20	Conditional Use Permit Application to City of Ketchum Planning & Building P19-066 dated 6-20-2019 Ketchum Boutique Hotel PEG Ketchum Hotel LLC.
A-7 00023-00236	2019-07-29	Pre-Application Design Submittal Ketchum Boutique Hotel July 29, 2019 Planning and Zoning Commission Meeting Submittal by AJC Architects for PEG Companies.
A-8 00237-00245	2020-02-04	City of Ketchum Planning & Building Design Review Application P20-015 dated February 4, 2020 signed by Justin Heppler consisting of 9 pages.
A-9 00246	2020-02-17	City of Ketchum Planning & Zoning Sign Permit Application PEG Development by Justin Heppler February 17, 2020 signed permit P20-019 February 18, 2020.

¹ The Agency Record documents have been sequentially numbered "RECORD 00001- RECORD 05488" and as of the date of this document, the next Bates number is "Record 05489." Documents that have not yet been Bates numbered are highlighted in blue – these documents have not yet been finalized or signed yet.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
A-10 00247-00320	2020-02-24	Ketchum Tribute February 24, 2020/ Design Review Application by AJC Architects.
<u>APPLICANT PEG COMMUNICATION</u> <i>Documents identified with prefix "APC"</i>		
APC-1 00321-00324	2019-08-23	E-mail from Nick Blayden to Steve Burstead August 23, 2019.
APC-2 00325	2019-11-20	Ketchum Hotel – Main St/ SR-75 Access November 20, 2019 by Justin Heppler, Project Architect to Sherri Newland, PE City Engineer.
APC-3 00326-00328	2020-02-19	Kurt Eggers of Eggers Associates P.A. Landscape Architecture e-mail to Brittany Skelton on February 19, 2020 noting the flagging of trees for removal and two photos of flagged trees.
APC-4 00329-00331	2020-02-19	Sean Flynn of Galena Engineering e-mail to Brittany Skelton on February 19, 2020 with 3 Staking Photos.
APC-5 00332	2020-02-19	Exhibit Map of Building Stakeout Ketchum Tribute Hotel by Galena Engineering Inc. dated February 19, 2020.
APC-6 05366-05403	2021-02-01	Applicant's Presentation to Ketchum City Council for Proceedings on Remand
<u>ATTORNEY COMMUNICATION</u> <i>Documents identified with prefix "ATC"</i>		
ATC-1 00333-00336	2019-07-30	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated July 30, 2019.
ATC-2 00337-00339	2019-08-12	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated August 12, 2019.
ATC-3 00340-00345	2019-09-05	Benjamin W. Worst, attorney for 220 East River Street, LLC letter to P&Z Commissioners dated September 5, 2019.
ATC-4 00346-00349	2019-09-10	Gary D. Slette attorney representing Jan E. Clotfelter and Richard C. Clotfelter owners of Unit 503 in the Limelight Hotel letter to John Gaeddert September 10, 2019 with illustrations Exhibit A and B.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
ATC-5 00350-00353	2019-09-11	E-mail from John Gaeddert to Maureen Puddicombe directing to add to the record the e-mail of Ben Worst September 11, 2019 Subject E-mail from Ben Worst to Participate addressed to the Mayor and Council sent September 11, 2019 was included.
ATC-6 00354-00356	2019-10-16	Letter from Richard Clotfelter to the City Council delivery via Gary Slette dated October 16, 2019 with Exhibit B - proposed Traffic Circulation.
ATC-7 00357-00359	2020-01-27	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter to John Gaeddert dated January 27, 2020 re: process of Motion for Reconsideration being premature.
ATC-8 00359-00369	Undated	Gary Slette Argument re: minimum lot size.
ATC-9 00370-00377	2020-02-14	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter to the Mayor and City Council re: request for reconsideration of P19-63 and P19-64, with Exhibits A and B, dated February 14, 2020.
ATC-10 00378-00379	2020-02-27	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter of February 27, 2020 argues for the following interpretation of the provisions of KMC § 16-08.080.
ATC-11 00380	2020-02-28	Deborah Nelson Attorney for Applicant notice of appearance letter to Ketchum City Council dated February 28, 2020.
ATC-12 00381-00385	2020-03-02	Gary Slette attorney representing Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan letter of March 2, 2020 to Bill Gigray re: notice to preserve his clients claim of violation of fundamental right and formal object to Motion for Reconsideration filed by John Gaeddert on February 28.
ATC-13 00386-00395	2020-03-11	Deborah Nelson Attorney for the Applicant letter to City Council dated March 11, 2020 in response to Gary Slette letters on

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		ordinance interpretation and waivers and due process rights of neighbors.
ATC-14 00396-00410	2020-03-23	Gary Slette attorney letter regarding and claiming a noticing error of City Staff in the notice provided to property owners within 300' of the subject Applications.
<u>City Attorney Memo Documents identified with the prefix "CA"</u>		
CA-1 00411-00416	2020-02-28	City Attorney legal memo to John Gaeddert dated February 28, 2020 in response to Gary D. Slette letter dated February 27, 2020 concerning Planned Unit Development Conditional Use Permit File No. P19-063.
CA-2 00417-00428	2020-01-31	City Attorney Legal Memorandum re: Slette argument.
<u>Development Agreement Documents identified with the prefix "D"</u>		
D-1 00429-00475	2019-07-25	Permits Conditions Acceptance Development Agreement City of Ketchum/ PEG Ketchum Hotel, LLC draft dated July 25, 2019.
<u>FCO Decision Documents identified with the prefix "F"</u>		
F-1 00476-00519	2019-08-12	Planning and Zoning Commission August 12, 2019 draft approval of Permits Conditions Acceptance Development Agreement City of Ketchum/PEG Ketchum Hotel, LLC.
F-2 00520-00534	2019-08-12	Lot Line Adjustment: Planning and Zoning Commission Findings of Fact Conclusions of Law and Decision File No. 19-064 dated August 12, 2019.
F-3 00535-00542	2019-08-12	Floodplain Development/Waterways Design Review Planning and Zoning Commission Findings of Fact Conclusions of Law and Decision File No. 19-062 dated August 12, 2019.
F-4 00543-00550	2019-08-12	Ketchum Planning and Zoning Commission Reasoned Statement Memorializing Motion to Advance Hotel Project to Final Design Review File No. 19061 Pre-Application Design Review signed by Neil Morrow Chair August 12, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
F-5 00551-00582	2019-08-12	PUD: Planning and Zoning Commission Findings of Fact Conclusions of Law, Order of Decision and Recommendation to City Council File No. P19-063 dated August 12, 2019.
F-6 00583-00634	2020-02-03	P19-063 Findings of Fact, Conclusions of Law, Order of Decision of the City Council File No. P19-063 dated and signed by Mayor Bradshaw - February 3, 2020.
F-7 00635-00650	2020-02-03	Lot Line Adjustment: City Council Findings of Fact Conclusions of Law and Decision File No. 19-064 dated February 3, 2020.
F-8 00651-00675	undated	Findings of Fact, Conclusions of Law and Decision of the City of Ketchum Planning and Zoning Commission File No. P20-015 Design Review.
F-9	2020-12-22	Master Joint Hearings Compiled Record of Proceedings on Remand – <u>Ketchum P&Z</u> , dated December 22, 2020.
F-10	2020-12-22	Planning and Zoning Commission Findings of Fact, Conclusions of Law, and Recommendations to City Council Decision File No. 19-062 dated December 22, 2020.
F-11	2020-12-22	Planning and Zoning Commission Findings of Fact, Conclusions of Law, and Recommendations to City Council Decision File No. 19-063 dated December 22, 2020.
F-12	2020-12-22	Planning and Zoning Commission Findings of Fact, Conclusions of Law, and Recommendations to City Council Decision File No. 19-064 dated December 22, 2020.
F-13	2021-02-16	Master Joint Hearings Compiled Record of Proceedings on Remand – <u>Ketchum City Council</u> , dated February 16, 2021.
F-14	2021-02-16	P19-062 City Council Findings of Fact, Conclusions of Law, and Decision, dated February 16, 2021.
F-15	2021-02-16	P19-063 City Council Findings of Fact, Conclusions of Law, and Decision, dated February 16, 2021.
F-16	2021-02-16	P19-064 City Council Findings of Fact, Conclusions of Law, and Decision, dated February 16, 2021.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
<u>Meeting Minutes</u> Document identified with the prefix "M"		
M-1 00676-00681	2019-07-29 2019-07-30	Meeting Minutes – Ketchum P&Z Special Meeting – two meetings held July 29, 2019 and July 30, 2019.
M-2 00682-00685	2019-08-08	Meeting Minutes – City of Ketchum, Idaho Traffic Authority Meeting held August 8, 2019.
M-3 00686-00690	2019-08-12	Meeting Minutes – Ketchum P&Z Regular Meeting.
M-4 00691-00698	2019-09-16	Meeting Minutes – Ketchum City Council Regular Meeting held September 16, 2019.
M-5 00699-00709	2019-10-07	Meeting Minutes – Ketchum City Council Regular Meeting held October 7, 2019.
M-6 00710-00718	2019-12-02	Meeting Minutes – Ketchum City Council Regular Meeting held December 2, 2019.
M-7 00719-00726	2020-01-21	Meeting Minutes – Ketchum City Council Special Meeting held January 21, 2020.
M-8 00727-00736	2020-02-03	Meeting Minutes – Ketchum City Council Regular Meeting held February 3, 2020.
M-9 00737-00743	2020-02-24	Meeting Minutes – Ketchum P&Z – Design Review Hearing held February 24, 2020.
M-10 00744-00750	2020-03-09	Meeting Minutes – Ketchum P&Z Meeting held March 9, 2020.
M-11 00751-00755	2020-04-06	Meeting Minutes – Ketchum City Council Regular Meeting held April 6, 2020.
M-12 00756-00762	2020-09-28	Meeting Minutes – Ketchum P&Z Special Meeting held September 28, 2020.
M-13 00763-00768	2020-10-27	Meeting Minutes – Ketchum P&Z Special Meeting held October 27, 2020.
M-14 00769-00774	2020-10-27	Meeting Minutes – AMENDED AND REFORMED Ketchum P&Z Special Meeting held October 27, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
M-15 05404-05409	2020-11-10	Meeting Minutes – Ketchum P&Z Regular Meeting November 10, 2020.
M-16 05410-05414	2020-12-15	Meeting Minutes - Ketchum P&Z Regular Meeting December 15, 2020.
M-17	2020-12-22	Meeting Minutes - Ketchum P&Z Regular Meeting December 22, 2020.
M-18	2021-02-01	Meeting Minutes – Ketchum City Council Regular Meeting held February 1, 2021.
M-19	2021-02-16	Meeting Minutes – Ketchum City Council Regular Meeting held February 16, 2021.
<u>Miscellaneous Documents identified with the prefix “MD”</u>		
MD-1 00775	Undated	Aerial GID Photo of the subject 3 parcels for lot line readjustment.
MD-2 00776-00783	Undated	MD-5 Images Documents include: <ul style="list-style-type: none"> • Aerial photo of Site Location • Sketch of Highway 75 side of proposed hotel • Photo of River St. and Main St. Sign and northwest corner of subject real property. • Photo Site Posting on Main St. looking toward Highway 75 • Photo Site Posting on Main St. looking interior subject real property • Photo Site Posting on River St. Side on building close in • Photo Site Posting on River St. farther out depicts most of the building • Aerial photo with outline of site location in dashed yellow lines
MD-3 00784-00785	Undated	Impact Fee Estimate Excel sheet.
MD-4 00786	Undated	Main St. Access aerial photo re: Main St. Access Layout.
MD-5 00787-00807	2001-11-05	City Council Resolution 807 Cooperative Agreement with ITD November 5, 2001.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
MD-6 00808	2003-07-29	2003 Ketchum Road Functional Classification Update Map Galena Engineering Inc. Drawn KMJ – July 29, 2003 #1318-129.
MD-7 00809-00817	2019-06-24	Agreement with AECOM as Independent Contractor dated June 24, 2019 Traffic Impact Study for Marriott Autograph Hotel
MD-8 00818	2019-07-15	Review of Ketchum Boutique Hotel Project by James Joyner Sr. Regulatory Project Manager US Army Corps of Engineers dated July 15, 2019
MD-9 00819	2019-07-25	Building Exhibit Map, dated July 25, 2019, Galena Engineering, Inc.
MD-10 00820-00826	2019-07-29	Staff PEG Boutique Hotel July 29, 2019 Power Point presentation consisting of 7 items.
MD-11 00827	2019-07-29	Jpg. View 1 of the northwest corner of proposed hotel project for July 29 and 30, 2019 hearing.
MD-12 00828	2019-07-29	Jpg. View 2 of the northeast corner on River St. of proposed hotel project or July 29 and 30, 2019 hearing.
MD-13 00829	2019-07-29	Public Amenity Exhibit list of goals but undated and not signed nor dated and no identification of the author. With the documents for the July 29, 2019 hearing before Planning and Zoning.
MD-14 00830-00837	2019-07-30	Staff PEG Boutique Hotel July 30, 2019 Power Point presentation consisting of 8 items.
MD-15 00838	2019-08-07	Parametrix Engineering by Todd Johnson, PE - August 7, 2019.
MD-16 00839-00840	2020-02-05	Clerk’s Certificate of Service on PEG Ketchum Hotel, LLC and Nick Blayden the Findings of Fact, Conclusions of Law, Order of Decision of the City Council of February 3, 2020 on February 5, 2020.
<u>Notices, Agenda and Service of Notice Documents identified with the prefix “N”</u>		
N-1 00841-00848	undated	Mailing List of Property Owners within 300’ of PEG Hotel.
N-2 00849-00850	Undated	Mailing List of the Political Subdivisions, County and state agencies.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-3 00851	Undated	1. IME Legal Ad Joint Notice of Add
N-4 00852	Undated	1 IME Legal Ad Joint Public Notice
N-5 00853-00860	Undated	Design Review Mailing List for notice
N-6 00861-00863	Undated	4 Parcel Number Mailing List documents and Blaine County 300 Foot Adjoiner Map depicting Roads, Selected Parcel depicted in red and 300 Ft. Adjoiners depicted in orange.
N-7 00864-00867	Undated	Master Mailing List ARC 3 parcels co
N-8 00868-00869	Undated	251 E. River St. Mail List
N-9 00870	Undated	260 E. River Mail List
N-10 00871-00872	Undated	260 E. River St. 300 Foot Adjoiner Map
N-11 00873	Undated	280 E. River St. 300 Foot Adjoiner Map
N-12 00874	Undated	280 E. River St. Mail List
N-13 00875	Undated	Map 3 Lots Combined depicting 300 ft. circle
N-14 00876-00877	Undated	Political Subdivision Mailing Labels
N-15 00878	2019-07-10	Pre-Design Review Noticing Checklist/Certification File No. <u>P19-061</u> for July 29, 2019 meeting date. Dated and signed by Maureen Puddicombe on July 10, 2019.
N-16 00879	2019-07-10	Floodplain Overlay Noticing Checklist/Certification <u>P19-062</u> dated and signed by Maureen Puddicombe on July 10, 2019.
N-17 00880	2019-07-10	Lot Line Shift Noticing Checklist/Certification <u>P19-064</u> dated and signed by Maureen Puddicombe on July 10, 2019.
N-18 00881-00882	2019-07-19	PUD Conditional Use Permit Noticing Checklist/Certification <u>P19-063</u> dated and signed by Maureen Puddicombe on July 19, 2019 with a picture of Posted Notice.
N-19 00883-00885	2019-07-19	Development Agreement Noticing Checklist/Certification <u>P19-063</u> dated and signed by Maureen Puddicombe on July 19, 2019 with a picture of Posted Notice.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-20 00886-00890	2019-07-19	Noticing Checklist/Certification <u>P19-063</u> PUD P & Z for Meeting on July 29, 2019 Signed by Maureen Puddicombe on July 19, 2019
N-21 00891-000905	2019-07-19	Noticing Checklist/Certification <u>P19-065</u> PUD P & Z for Meeting on July 29, 2019 Signed by Maureen Puddicombe July 19, 2019
N-22 00906-00907	2019-07-10	Affidavit of Publication dated July 10, 2019 for July 29, 2019 P&Z Hearing.
N-23 00908	2019-07-29	Notice of Hearing draft for July 29, 2019 for PEG Ketchum Hotel LLC application readjustment of lot lines, subdivision application, with Floodplain/Waterways Design Review overlay
N-24 Duplicate of N-23 00908	2019-07-29	Notice of Hearing draft for July 29, 2019 for PEG Ketchum Hotel LLC application readjustment of lot lines, subdivision application, with Floodplain/Waterways Design Review overlay.
N-25 00909-00910	2019-07-29	Notice of Special Meeting of the Planning and Zoning Commission July 29, 2019 for Ketchum Boutique Hotel Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Also includes Concept Sketch, and Aerial Photo Site Location.
N-26 00911-00912	2019-07-29	Mailing Notice – Ketchum Planning & Zoning, July 29, 2019.
N-27 00913-00927	2019-07-29	<p>Notice of Public Hearing before Planning and Zoning Commission July 29, 2019 including</p> <ul style="list-style-type: none"> • Draft Notice of Public Hearing July 29, 2019 for Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of lot Lines/Lot line Shift, and Floodplain Development. • Mailing Notice Front Page Public Notice of Public Hearing • Mailing Notice Back Page Public Notice of Public Hearing Concept Sketch with Aerial Photo Site Location • Special Meeting Ketchum Boutique Hotel Display Ad

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<ul style="list-style-type: none"> • PUD Conditional Use Permit Noticing Checklist/Certification P19-063 dated and signed Maureen Puddicombe July 19, 2019 • Development Agreement Noticing Checklist / Certification P19-065 dated and signed Maureen Puddicombe July 19, 2019 • Pre-Design Review Noticing Checklist / Certification P19-061 dated and signed Maureen Puddicombe July 10, 2019 • Floodplain Overlay Noticing Checklist / Certification P19-062 dated and signed Maureen Puddicombe July 10, 2019 • Lot Line Shift Noticing Checklist / Certification P19-064 dated and signed Maureen Puddicombe July 10, 2019 • Political Subdivisions Mailed list • Property Owners within 300’ Mailed List • Photo of Posted Notices
N-28 00928	2019-07-29	Display Ad Ketchum Boutique Hotel Special Meeting Planning and Zoning Commission July 29, 2019.
N-29 00929-00943	2019-07-29	Ketchum Boutique Hotel PEG Development Public Hearings July 29 and 30, 2019 notice with Application Sequence and Relationships flow chart and Agenda & Applications and PUD Purpose, intent, waivers and Questions Page.
N-30 00944-01286	2019-07-29	<p>Planning and Zoning Agenda Special Meeting of July 29, 2019 full packet consisting of:</p> <ul style="list-style-type: none"> • Agenda Notice of meeting with public hearing on Ketchum Boutique Hotel and action items including <ul style="list-style-type: none"> ✓ Floodplain Development and Waterways Design Review ✓ Lot Line Shift Application ✓ Pre-Design Review Application ✓ Planned Unit Development/Conditional Use Permit ✓ Development Agreement • Staff Report and attachments re: all applications and notification compliance documents

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<ul style="list-style-type: none"> • E-mail from James Joyner dated July 15, 2019 notification that a 404 Clean Water Act permit may be needed due to adjacent Tail Creek wetlands • Ketchum Fire Department Preapplications Requirements from Tom Ancona, Assistant Chief & Fire Marshal dated June 24, 2019 • Public notice documents, community survey responses & Public Comment • Proposed Findings of Fact, Conclusions of Law and Recommendations.
N-31 01287-01288	2019-08-28	Public Notice - Public Hearing Meeting of the Ketchum City Council for September 19, 2019 dated August 28, 2019. Notice with Concept Sketch and Aerial Photo Site Location For Planned Unit Development, Conditional Use Permit, Readjustment of Lot Lines/Lot Line Shift and Development Agreement.
N-32 Duplicate of N-31 01287-01288	2019-08-28	Public Notice - Public Hearing Meeting of the Ketchum City Council for September 19, 2019 dated August 28, 2019. Notice with Concept Sketch and Aerial Photo Site Location For Planned Unit Development, Conditional Use Permit, Readjustment of Lot Lines/Lot Line Shift and Development Agreement.
N-33 01289-01290	2019-08-28	Affidavit of Publication dated August 28, 2019 for September 16, 2019 Ketchum City Council Public Hearing
N-34 01291	2019-08-28	Pre-Design Review P19-061 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-35 Duplicate of N-34 01291	2019-08-28	Pre-Design Review P19-061 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-36 01292	2019-08-28	Floodplain Overlay P19-062 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-37 01293	2019-08-28	Floodplain Overlay P19-062 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-38 01294	2019-08-28	Lot Line Shift P19-064 Noticing Checklist/Certification for September 16, 2019 meeting date mailed August 28, 2019 dated and signed Maureen Puddicombe Planning Technician August 28, 2019.
N-39 01295-01296	2019-08-28	C-1.2 pdf: Public Notice -Public Hearing before City Council for September 19, 2019 /Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines and Floodplain Development. Notice dated August 28, 2019. With Concept Sketch, Aerial Photo of Site Location
N-40 01297-01298	2019-09-05	C-1.3 pdf: Public Notice -Public Hearing before City Council for September 16, 2019 and Monday October 7, 2019 /Pre-Application Design Review, Planned Unit Development, Conditional Use Permit, a Readjustment of Lot Lines/Lot Line Shift, and Development Agreement. Notice dated September 5, 2019. With Concept Sketch, Aerial Photo of Site Location
N-41 Duplicate of N-40 01297-01298	2019-09-05	Public Notice of Public Hearing Meeting City Council for September 16, 2019 and October 7, 2019 re: Ketchum Boutique Hotel, Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 5, 2019. Together with Concept Sketch and Aerial Photo Site Location.
N-42 Duplicate of N-40 & N-41 01297-01298	2019-09-05	Public Notice Public Hearing Meeting City Council for September 16, 2019 and October 7, 2019 re: Ketchum Boutique Hotel, Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 5, 2019. Together with Concept Sketch and Aerial Photo Site Location.
N-43 01299	2019-09-11	C-1.5 pdf: Noticing Checklist/Certification for P19-063 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 11, 2019.
N-44 01300	2019-09-11	C-1.6 pdf: Noticing Checklist/Certification for P19-065 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 11, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-45 Duplicate of N-43 01299	2019-09-11	C-1.10 pdf: Noticing Checklist/Certification for P19-063 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 11, 2019.
N-46 01300	2019-09-11	Development Agreement P19-065 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meeting dates dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-47 Duplicate of N-46 01300	2019-09-11	Development Agreement P19-065 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meeting dates dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-48 01301	2019-09-11	Planned Unit Development P19-063 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meetings 19 dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-49 Duplicate of N-48 01301	2019-09-11	Planned Unit Development P19-063 Noticing Checklist/Certification for September 16, 2019 and October 7, 2019 meetings 19 dated and signed Maureen Puddicombe Planning Technician September 11, 2019.
N-50 01302	2019-09-16	Draft Notice of Public Hearing Planning and Zoning Commission for City Council public hearing September 16, 2019 draft.
N-51 Duplicate of N-50 01302	2019-09-16	Draft Notice of Public Hearing Planning and Zoning Commission for City Council public hearing September 16, 2019 draft.
N-52 01303-01304	2019-09-16	Notice of Public Hearing for Monday September 16, 2019 before the Ketchum City Council for PUD, Readjustment of Lot Lines/Lot Line Shirt, Development Agreement.
N-53 01305-01306	2019-09-18	Public Notice Public Hearing Meeting City Council October 7, 2019 PEG Ketchum Hotel LLC Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 18, 2019 with Concept Sketch and Aerial Photo of Site Location.
N-54 Duplicate of N-53	2019-09-18	Public Notice Public Hearing Meeting City Council October 7, 2019 PEG Ketchum Hotel LLC Design Review, Planned Unit Development, Conditional Use Permit, Development

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
01305-01306		Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 18, 2019 with Concept Sketch and Aerial Photo of Site Location.
N-55 01307-01308	2019-09-18	Affidavit of Publication dated September 18, 2019 for October 7, 2019 Ketchum City Council Hearing.
N-56 Duplicate of N-53 & N-54 01305-01306	2019-09-18	C-1.7 pdf: Public Notice -Public Hearing before City Council for October 7, 2019 Design Review, Planned Unit Development, Conditional Use Permit, Development Agreement, Readjustment of Lot Lines, and Floodplain Development. Dated September 18, 2019 with Concept Sketch, Aerial Photo of Site Location.
N-57 01309	2019-09-30	C-1.11 pdf: Noticing Checklist/Certification for P19-063 to 065 for City Council meeting dates 9-16-19 and 10-7-19 signed by Maureen Puddicombe Planning Technician September 30, 2019.
N-58 01310	2019-09-30	PUD/CUP Lot Line Shift Development Agreement P19-063, 064 and 065 Noticing Checklist/Certification for October 7, 2019 meetings dated and signed Maureen Puddicombe Planning Technician September 30, 2019.
N-59 01311	2019-09-30	PUD/CUP Lot Line Shift Development Agreement P19-063, 064 and 065 Noticing Checklist/Certification for October 7, 2019 meetings dated and signed Maureen Puddicombe Planning Technician September 30, 2019.
N-60 01312-01313	2019-12-02	City Council Agenda Notice for December 2, 2019 with action item for the proposed Ketchum Boutique Hotel applications for Planned Unit Development, Conditional Use Permit, and Development Agreement Hearings.
N-61 01314-01315	2020-02-05	Public Hearing Notice Planning and Zoning Commission February 24, 2020 Ketchum Boutique Hotel Design Review dated February 5, 2020 with Concept Sketch and Aerial Photo of Site Location.
N-62 01316	2020-02-05	Design Review Noticing Checklist/Certification P19-061 for hearing date February 24, 2020 dated and signed by Maureen Puddicombe February 5, 2020.
N-63 01317	2020-02-05	Affidavit of Publication dated February 5, 2020 for February 24, 2020 P&Z Commission Special Hearing.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
N-64 01318	2020-02-21	Notice of Posting of Agenda for February 24, 2020 Special meeting of Ketchum Planning and Zoning dated and signed Maureen Puddicombe Planning Technician February 21, 2020.
N-65 Duplicate of N-64 01318	2020-02-21	Notice of Posting of Agenda for Planning and Zoning of February 24, 2020 Certified February 21, 2020 Maureen Puddicombe Planning Technician
N-66 01319	2020-02-24	Draft Notice of Special Meeting for Public Hearing Ketchum Planning and Zoning for Design Review February 24, 2020 hearing.
N-67 01320	2020-02-24	Notice for Ketchum Planning & Zoning Commission Special Meeting Ketchum Boutique Hotel Design Review February 24, 2020 just with picture of the proposed hotel.
N-68 01321-01322	2020-09-09	Joint Public Notice of Additional Public Hearings on Remand from the City Council before the Ketchum Planning and Zoning Commission, dated September 9, 2020, for the September 28, 2020 Hearing.
N-69 01323-01324	2020-09-09	Affidavit of Publication dated September 9, 2020 for September 28, 2020 Joint Public Notice of Additional Public Hearing on Remand before Ketchum City Council and Ketchum Planning and Zoning.
N-70 01325	2020-09-10	Design Review-Floodplain Development Permit, Planned Unit Development, Lot Line Adjustment Conditional Use Permit - Permit Conditions Acceptance Agreement Noticing Checklist/Certification P19-062, 063, 064, 069 and P20-015. Hearing Date September 28, 2020 dated and signed Maureen Puddicombe on September 10, 2020.
N-71 05415	2021-01-25	Noticing Checklist/Certification for P20-015, P20-069, P19-062, P19-063, P19-064 for City Council meeting date 2-1-21 signed by Maureen Puddicombe Planning Technician January 25, 2021
N-72 05416-05417	2021-01-25	Affidavit of Publication dated January 13, 2021 for the February 1, 2021 Ketchum City Council Hearing.
ORDER documents identified with prefix "O"		
O-1 01326-01329	2020-04-06	City Council Order Suspending the Planning and Zoning Commission's Findings of Fact, Conclusions of Law and

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Decision and Directing An Additional Hearing Before the Commission dated April 6, 2020.
O-2 01330-01333	2020-04-06	P19-062 Floodplain Development Permit: City Council Order Vacating Findings of Fact, Conclusions of Law and Decision of the City Council and Remanding the Application to the Planning and Zoning Commission For Further Proceedings dated April 6, 2020.
O-3 01334-01336	2020-04-06	P19-063 Order Vacating Findings of Fact, Conclusions of Law, Order of Decision of the City Council and Remanding the Applications to the Planning and Zoning Commission for Further Proceedings. Dated and signed by Mayor Bradshaw April 6, 2020.
O-4 01337-01339	2020-04-06	P19-064 Lot Line Adjustment: City Council Order Vacating Findings of Fact, Conclusions of Law and Decision of the City Council and Remanding the Application to the Planning and Zoning Commission for Further Proceedings dated April 6, 2020.
O-5 Duplicate of O-4 01337-01339	2020-04-06	P19-064 Order Vacating Findings of Fact, Conclusions of Law, and Decision of the City Council and Remanding the Application to the Planning and Zoning Commission for Further Proceedings. Dated and signed by Mayor Bradshaw April 6, 2020.
<u>Project Design documents identified with prefix "PD"</u>		
PD-1 01340-01393	Undated	Ketchum Boutique Hotel Tribute Portfolio with Brad DNA, Site Analysis, Height Analysis-Gateway Study Recommendation and Gateway Study Previous Submittal, Massing Study, Massing Study Resolution, Compatibility Views, Material Pallet, Floor Plans, Exterior Elevations, Landscape, Public Way Improvements, Civil, Waivers, Traffic Study, Staking Scheme, Fog Plane, Building Sections, Floor Area Ratio, Traffic Mitigation
PD-2 01394-01395	Undated	Illustration A.png includes preferred alternative Typical Sections: Elkhorn Road to River Street.
PD-3 01396	Undated	C-2.2 Top Ten-Project Updates PEG Companies AJC Architects Tribute Portfolio [cover sheet]

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PD-4 01397	2019-07-29	Elevated views in downtown Ketchum Private and Public map with legend. With the documents for the July 29, 2019 hearing before Planning and Zoning.
PD-5 01398-01400	2019-07-29	Added Value of Rooftop bar public amenity document and with 6 photos of views. With the documents for the July 29, 2019 hearing before Planning and Zoning.
PD-6 01401-01454	2019-07-29	Ketchum Boutique Hotel July 29, 2019 Materials including introduction, Site Analysis, Height Analysis- Gateway Study Recommendation, Massing Study, Compatibility views, material pallet, Floor Plans, Exterior Elevations, Site Design, Landscape, Public Way Improvements, CIVIL, Waivers, Height Analysis- Contextual Elevations, Invisible Plane, Traffic Study, Staking Scheme, Fog Plane, Building Sections, Floor Area Ratio, Traffic Mitigation.
PD-7 01455-01500	2019-09-20	Ketchum Tribute Design Update September 20, 2019 by AJC Architects PEG Companies.
PD-8 01501-01531	2019-10-01	Ketchum Tribute Design Update October 1, 2019 by AJC Architects PEG Companies.
PD-9 Duplicate of PD-8 01501-01531	2019-10-01	Ketchum Tribute Design Update October 1, 2019 by AJC Architects PEG Companies.
PD-10 001532	2019-10-29	AJC Architects Landscape Plan dated October 29, 2019
PD-11 01533-01577	2019-12-02	Ketchum Tribute Proposed Hotel Project Design Update December 2, 2019 AJC Architects.
PD-12 01578-01646	2020-01-21	P19-063 Ketchum Tribute Proposed Hotel Project Design Update January 21, 2020 AJC Architects
PD-13 01647-01656	2020-02-17	Hotel Signage Plan & Elevations AJC Architects dated February 17, 2020
PD-14 01657-01711	2020-09-28	Ketchum Tribute September 28, 2020 Planning Commission Update AJC Architects with Project Perspective, Process, Landscape Plan, Signage, Floor Plans including Employee Housing all levels, Exterior Elevations Perspective Renders, elevation renderings from all sides, Sustainability of Building Systems, City Code Waivers, Minimum Lot Size for PUD, Side Yard Setbacks, Floor Area Ratio, Building Height, Number of Floors, Generator Sound Attenuation, Access Limitations.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PD-15 01712-01742	2020-10-16	Ketchum Tribute October 16, 2020 Planning Commission Supplemental Info with Exhibit A Compliance with PUD Standards, Exhibit B Additional Waiver Clarification, Exhibit C Public Benefit of Project, Exhibit D Trail Creek Improvements, Exhibit E PEG & Marriott Pandemic Precautions by AJC Architects.
<u>Public Comment</u> Documents identified with prefix "PC"		
PC-1 01743	Undated	Concerned Citizens of Ketchum letter undated. Followed by an unsigned statement of someone not identified opposed to waivers/ Possibly a form.
PC-2 01744	2019-07-00	Pat Duggan resident letter to John Gaeddert [undated but with material submitted in July of 2019].
PC-3 01745	2019-07-00	Mary K. Foust letter to P & Z Commission [undated but with material submitted in July of 2019].
PC-4 01746	2019-07-15	E-mail from James Joyner Sr., Regulatory Project Manager US Army Corps of Engineers, July 15, 2019.
PC-5 01747-01752	2019-07-15	Richard C. Clotfelter, property owner, letter to John Gaeddert July 15, 2019.
PC-6 01753	2019-07-16	E-mail from Frank and Linda Dressman July 16, 2019.
PC-7 01754	2019-07-16	E-mail John Sahlberg dated July 16, 2019.
PC-8 01755-01756	2019-07-16	Letter from Thomas & Dell-Ann Benson, property owners, to John D. Gaebbert, Director dated July 16, 2019.
PC-9 01757-01794	2019-07-16	Ketchum Boutique Hotel Parking Study memo discussion of by Hales Engineering dated July 16, 2019 by E. Scott Johnson.
PC-10 01795-01798	2019-07-17	Letter from Attorney Robert J. Adolph of the Adolph Law Group PLLC of Seattle, Washington, property owner, to John D. Gaeddert Director dated July 17, 2019.
PC-11 01799-01800	2019-07-17	Letter from Scott and Karen Hanson, property owner, to P & Z Commission dated July 17, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-12 01801-01802	2019-07-17	Jeffrey A. Barber letter, resident neighboring property, to John Gaeddert dated July 17, 2019.
PC-13 01803-01804	2019-07-18	Kevin Livingston letter property owner to John D. Gaebbert, Director dated July 18, 2019.
PC-14 01805	2019-07-24	John Curnow, General Manager Limelight Hotel Ketchum letter to P & Z Commissioners dated July 24, 2019.
PC-15 01806-01808	2019-07-26	Robert Korb Managing Member of 220 E. River Street, LLC property owner letter to Planning and Zoning dated July 26, 2019.
PC-16 01809-01811	2019-07-28	Steve Burnstead, Vice President Limelight Residences, letter to P & Z Commission dated July 28, 2019.
PC-17 Duplicate of PC-16 01809-01811	2019-07-28	Steve Burnstead, Vice President, and Eddie Poplawski, Board Member of Limelight Residences, letter to P & Z Commission dated July 28, 2019.
PC-18 01812-01820	2019-07-30	Lars Guy (tenant neighboring building to the west) letter to P&Z Commission dated July 30, 2019 together with illustrations depicting height and setbacks and building mass and comparison to other hotel projects proposals.
PC-19 01821-01822	2019-07-30	Alchemie by Bruce D. Hinckley, MLA Landscape Architect letter to P & Z Commission dated July 30, 2019.
PC-20 01823-01824	2019-07-30	Mark Pynn, Architect, letter to Planning & Zoning Commission dated July 30, 2019.
PC-21 01825	2019-07-30	Ms. Jima Rice, Ph.D., letter to P & Z Commission dated July 30, 2019.
PC-22 01826	2019-08-01	E-mail from Bruce Smith to Participate dated August 1, 2019 re: height not over 74 feet.
PC-22A 01827	2019-08-05	E-mail from John Gaeddert to Maureen Puddicombe dated August 5, 2019 with e-mail from Participate dated August 4, 2019 and e-mail from Mary Kay McCollum dated August 1, 2019 and E-mail from Bruce Smith to Participate dated August 1, 2019.
PC-23 01828-01829	2019-08-08	E-mail from Steve Burnstead to loneeagle@littleappletech.com dated August 8, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-24 01830-01832	2019-08-11	Daniel Rothman (tenant neighbor to the west) to the P&Z Commission dated August 11, 2019.
PC-25 01833	2019-08-21	E-mail from Steve Burnstead to Nick Blayden dated August 21, 2019.
PC-26 01834	2019-08-23	E-mail from John Curnow, General Manager, Limelight Hotel Ketchum to John Gaeddert dated August 23, 2019.
PC-27 01835	2019-08-23	E-mail from Steve Burnstead to Nick Blayden dated August 23, 2019.
PC-28 01836	2019-08-30	E-mail from Michael Leach to Participate dated August 30, 2019.
PC-29 01837-01844	2019-09-02	Robert Korb letter to P&Z Commission and Council as managing member of 22 East River Street, LLC dated September 2, 2019 with illustrations.
PC-30 01845	2019-09-04	Scott Hanson letter to City Council, part time resident and property owner dated September 4, 2019.
PC-31 01846-01847	2019-09-04	E-mail from John Gaeddert to Maureen Puddicombe dated September 4, 2019.
PC-32 Duplicate of PC-31 01846-01847	2019-09-04	E-mail from John Gaeddert to Maureen Puddicombe dated September 4, 2019 directing that she add to the records E-mail from Participates dated September 3, 2019 and including e-mail from Lisa Leach of Keller Williams Realty to Participate September 2, 2019. Subject e-mails were included.
PC-33 01848-01849	2019-09-04	E-mail from Neil Bradshaw to Sarah Michael dated September 4, 2019.
PC-34 Duplicate of PC-33 01848-01849	2019-09-04	E-mail from Sarah Michael to Neil Bradshaw dated September 4, 2019.
PC-35 01850-01972	2019-09-05	E-mail from Robert Adolph of The Adolph Law Group PLLC property owner to Neil Bradshaw and members of the City Council etc. dated September 5, 2019 with illustrations of the proposed hotel.
PC-36 01973	2019-09-08	Letter to Mayor and Council from Patricia Duncan Duggan dated September 8, 2019.
PC-37 01974-02097	2019-09-09	Alchemie by Bruce D. Hinckley, MLA Landscape Architect letter to P & Z Commission dated September 9, 2019.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-38 02098-02118	2019-09-09	<i>Change.org</i> letter to Mayor and Council with numerous signatures obtained from August 30, 2019 to September 9, 2019. First name on the list is Kevin Livingston and the last name is Chris Greissing.
PC-39 02119	2019-09-09	Comments in writing all listed from September 4, 2019 to September 9, 2019 first name on the list is Mar de Saint Phalle and last name on the list is Robert Rumer.
PC-40 02120-02121	2019-09-09	E-mail dated September 9, 2019 from John Gaeddert to Maureen Puddicombe that she add to the record the e-mails from John Curnow, General Manager of Limelight Hotel, Steve Burnstead dated September 8, 2019 and Dick Clotfelter dated September 7, 2019. Subject e-mails were included.
PC-41 02122-02154	2019-09-09	E-mail September 9, 2019 from John Gaeddert to Maureen Puddicombe that she add to the record the e-mails from petition signatures, Resident Comments, and Mailed letter to Ketchum Residents E-mail from Suzanne Frick to Robin Crotty and John Gaeddert dated September 9, 2019. E-mail from Kevin Livingston to Neil Bradshaw and City Council dated September 9, 2019 and Document from Robert Adolph of The Adolph Law Group PLLC to the Mayor and Council. Subject E-mails were included.
PC-42 02155	2019-09-11	E-mail dated September 11, 2019 from John Gaeddert to Maureen Puddicombe directing to add to the record E-mail of Lisa Enourato and James Chubb E-mail of September 11, 2019. Subject e-mails were included.
PC-43 02156-02157	2019-10-17	Letter from Scott and Karen Hanson to Ketchum City Council dated October 17, 2019.
PC-44 02158	2020-03-09	Letter from Robert Korb to Ketchum Planning and Zoning Commission dated March 9, 2020.
PC-45 02159-02160	2020-08-25	E-mail from Dick Clotfelter to Maureen Puddicombe dated August 25, 2020; copy to the Council members.
PC-46 02161	2020-09-18	Letter from Robert Korb to the Mayor and City Council dated September 18, 2020.
PC-47 02162-02163	2020-09-18	Letter from Scott Hanson to the Ketchum Planning and Zoning Commission dated September 18, 2020.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-48 02164-02173	2020-09-22	E-mail from Kevin Livingston to Participate dated September 22, 2020 @ 10:42 AM.
PC-49 02174-02176	2020-09-22	E-mail from Kevin Livingston to Participate dated September 22, 2020 @ 12:36 PM.
PC-50 02177-02178	2020-09-23	Letter from John & Susan Sahlberg to Ketchum Planning and Zoning Commission dated September 23, 2020.
PC-51 02179-02186	2020-09-23	Letter from John & Susan Sahlberg to the Ketchum Planning and Zoning Commission dated September 23, 2020.
PC-52 02187-02188	2020-09-25	E-mail from Gina Poole to Participate dated September 25, 2020.
PC-53 02189-02190	2020-09-28	E-mail from Susan Sahlberg to Participate dated September 28, 2020.
PC-54 02191	2020-09-28	E-mail from Spyder Turco to Participate dated September 28, 2020.
PC-55 02192	2020-09-28	E-mail from Theresa Williams to Participate dated September 28, 2020.
PC-56 02193-02194	2020-10-23	Letter from Robert Korb to Mayor and City Council dated October 23, 2020.
PC-57 02195-02196	2020-10-26	E-mail from Dick Clotfelter to Maureen Puddicombe dated October 26, 2020.
PC-58 02197-02198	2020-10-26	Letter from Scott Hanson to Ketchum Planning and Zoning Commission dated October 26, 2020.
PC-59 02199	2020-10-26	E-mail from Eric Swanson to Participate dated October 26, 2020.
PC-60 02200	2020-10-26	E-mail from Beverly Algen to Participate dated October 26, 2020.
PC-61 02201	2020-10-27	E-mail from Eileen Hansen to Participate dated October 27, 2020.
PC-62 02202-02204	2020-10-27	E-mail from Kevin Livingston to Participate dated October 27, 2020.
PC-63 02205	2020-10-27	E-mail from Robert Rudy to Participate dated October 27, 2020.
PC-64 05418	2020-12-22	E-mail from Robert Korb to Participate dated December 22, 2020 re: supplemental comments.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
PC-65 05419-05420	2020-12-31	E-mail from H. Boyle to Participate dated December 31, 2020 re: change name of project from Ketchum Boutique Hotel to "Marriott."
PC-66 05421	2021-01-25	Letter from Scott Hanson, condominium owner, to Ketchum City Council and Mayor, dated January 25, 2021.
PC-67 05422	2021-01-26	Letter from Richard C. Clotfelter, resident of Limelight Hotel and Condominiums, dated January 26, 2021 to Mayor and Ketchum City Council re: proposed Tribute (Marriott) Hotel.
PC-68 05423	2021-01-29	Public Comment from Perry Boyle.
PC-69 05424	2021-01-30	Public Comment from Michael Dunham.
PC-70 05425--5426	2021-01-31	Public Comment from Perry Boyle.
PC-71 05427	2021-02-01	Public Comment from Cindy Forgeon.
<u>Sign-In Sheet Documents identified with prefix "SS"</u>		
SS-1 02206	2019-09-16	Sign-in Sheet for September 16, 2019 City Council public hearing.
SS-2 02207-02209	2019-10-07	Sign-in Sheet for October 7, 2019 City Council public hearing.
SS-3 02210	2019-12-02	Sign-in Sheet for December 2, 2019 City Council public hearing.
SS-4 02211	2020-01-21	Sign-in Sheet for January 21, 2020 City Council public hearing.
<u>Staff Report Documents identified with prefix "SR"</u>		
SR-1 02212-02215	Undated	Attachment A JG.pdf - Staff review of proposed project.
SR-2 02216-02217	Undated	Attachment A 10 Revised regarding final engineering and encroachment approvals consistent with overall conceptual design set forth in Option 1.
SR-3 02218-02219	Undated	Attachment A 10 City Staff Analysis of River Street Encroachment Options 1 and 2.
SR-4 02220-02224	Undated	Ketchum Boutique Hotel Survey /Survey Monkey data summary not dated 5 pages.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-5 02225-02228	Undated	Sustainability Integration Tribute Portfolio Ketchum Idaho including Sustainability-Building Systems/Geothermal, High Performance Building & Site, Material & Product Sustainability Assessment.
SR-6 02229-02231	Undated	Ketchum Boutique Hotel Staff Parking Demand Analysis as prepared by Hales Engineering.
SR-7 02232-02235	Undated	Project Comprehensive Plan Analysis.
SR-8 02236-02304	2007-06-12	City of Ketchum Mass and Scale Study for the Gateway Area June 12, 2007.
SR-9 02305-02327	2018-09-20	City of Ketchum Master Transportation Plan Memo from Cameron Waite, PE, PTOE and Shane Warmbrodt, EIT to Sherri Newland, PE dated September 20, 2018.
SR-10 02328-02610	2019-05-31	AECOM Traffic Impact Study dated May 31, 2019.
SR-11 02611-02849	2019-06-04	Ketchum Boutique Hotel Survey/ Survey Monkey Started June 4, 2019 with survey questions pages 1 – 239.
SR-12 02850-02887	2019-06-18	Hales Engineering Ketchum Hotel Parking Study Memo dated June 18, 2019 by E. Scott Johnson.
SR-13 05024-05365	2019-07-29	Staff Report dated July 29, 2019 to Planning and Zoning Commission regarding Floodplain Development/Waterways Design Review Permit, Preliminary Plat, pre-application Design Review, PUD Conditional Use Permit and CUP and Development Agreement and attachments.
SR-14 02888-02903	2019-07-29	Traffic Impact Study Hales Engineering Scott Johnson, PE, PTOE July 29, 2019.
SR-15 02904-02950	2019-08-12	Staff Report dated August 12, 2019 to Ketchum Planning and Zoning Commission re: Recommendation to approve proposed Development Agreement with attached Permit Conditions Acceptance Agreement draft dated 8/7/19.
SR-16 02951-02953	2019-08-13	Access Management Practices SH-75 Memorandum by Hales Engineering dated August 13, 2019.
SR-17 02954-03398	2019-09-16	Staff Report dated September 16, 2019 to the Mayor and City Council regarding Floodplain Development/Waterways Design Review Permit, Preliminary Plat, pre-application Design

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Review, PUD Conditional Use Permit and CUP and Development Agreement and attachments.
SR-18 03399-03852	2019-10-07	Staff Report dated October 7, 2019 to the Mayor and City Council regarding Floodplain Development/Waterways Design Review Permit, Preliminary Plat, pre-application Design Review, PUD Conditional Use Permit and CUP and Development Agreement and attachments.
SR-19 03853-04306	2019-10-07	C-7.1 pdf and also P19-063 Staff Report (All Att... Staff Report dated October 7, 2019 addressed to Mayor Bradshaw and City Councilors with recommendation to accept the Planning and Zoning Commission's recommendations on the PEG Ketchum Hotel Planned Unit Development CUP and related applications (Project), Including <ul style="list-style-type: none"> • Staff Analysis of the Project and its inter-related applications as Attachment A • PEG Companies submitted drawings, narratives and studies updates received by City on October 2, 2019 Attachment B • City Department and other expert reviews of applicant submittals Attachment C • Public Comments received Attachment D • Inter-related applications Attachment E. Including Floodplain Development/Waterways Design Review Permit, Preliminary Plant, pre-Application Design Review, PUD Conditional Use Permit and proposed Development Agreement.
SR-20 04307	2019-11-20	In-Group Hospitality letter signed by Joe Madera Regional Director of Operations In-Group Hospitality dated November 20, 2019. Subject on-site employee housing.
SR-21 04308	2019-11-21	In-Group Hospitality letter signed by Joe Madera Regional Director of Operations In-Group Hospitality dated November 21, 2019. Subject complimentary parking (with validation).
SR-22 04309-04310	2019-11-22	In-Group Hospitality letter signed by Joe Madera Regional Director of Operations In-Group Hospitality dated November 22, 2019 and first floor plan with depictions of Garage Vestibule, Trash/Loading area/Back of house corridor/Storage area/ Kitchen area.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
SR-23 04311-04412	2019-12-02	<p>C-7.2 pdf. Also P19-063 - Staff Report dated December 2, 2019 addressed to Mayor Bradshaw and City Councilors with recommendation to (1) hear from the Applicant and staff on PEG's updated plans, (2) hold a public hearing and receive public testimony on new information, (3) deliberate on the Planned Unit Development CUP and (5) continue the preliminary plat and development agreement portions of the public hearing. The Staff Report Includes the following:</p> <ul style="list-style-type: none"> • Link to 10/7/19 KCC Staff Report, Including Recommendations of the Ketchum Planning & Zoning Commission: https://mccmeetingspublic.blob.core.usgovcloudapi.net/ketchid-meetf374e29900a74b108ca2d3560c836ce0/ITEM-Attachment-001-3abc66dc1caf4df39a96255157b5fd32.pdf • Link to all public comment to the Commission (from 7/15 to 9/11): https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/all_comments_received_by_pz_7.15.19_to_9.11.19.pdf <ul style="list-style-type: none"> • Link to all public comment to Council (from 8/5 to present): https://ketchumidaho.org/citycouncil/page/ketchum-boutique-hotel • Attachments: <ul style="list-style-type: none"> ✓ Attachment A Staff Analysis ✓ Attachment B PEG Ketchum Hotel, LLC Gateway Submittal Drawings, Narratives & Studies with 12/2/2019 design updates ✓ Attachment C City Department, agency & peer review letters/memos, with memo from AECOM and letter from Nathan Harvill, BCHA ✓ Attachment D Public Comment Links above referenced. ✓ Attachment E Draft Findings of Fact, Conclusions of Law, Order of Decisions PUD and Copy of Signed P & Z Findings
SR-24 04413	2019-12-19	River Street Encroachment Comparison dated 12-19-2019.
SR-25 04414-04471	2020-01-21	C 2.7 Staff Report Recommendation and Summary dated January 21, 2020 [Box right bottom corner of each page are marked with the first page 57 and continuing through page 62.

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Attachments include Attachment E.2A Draft Preliminary Plan Findings of Fact, Conclusions of Law, Order of Decision, Attachment E. 4.1 Draft Planning Unit Development Conditional Use Permit and CUP Findings of Fact, Conclusions of Law, Order of Decision first page 80 and continuing through page 114. E.2.A Draft Findings Plat/Readjustment of Lot Lines first page 63 and continuing through page 79.
SR-26 04472-04476	2020-01-21	<p>C-7.3.pdf Staff Report dated January 21, 2020 addressed to Mayor Bradshaw and City Councilors with recommendation to (1) hear from the Applicant and staff on PEG’s updated plans, (2) hold a public hearing and receive public testimony on new information, (3) deliberate on the Planned Unit Development CUP (4) deliberate on the preliminary plat, and (5) continue the development agreement portion of the public hearing. The Staff Report Includes the following:</p> <ul style="list-style-type: none"> • Attachments: <ul style="list-style-type: none"> ✓ Attachment A Staff Analysis ✓ Attachment B PEG Ketchum Hotel, LLC Gateway Submittal Drawings, Narratives & Studies with 12/2/2019 design updates and reference to the following link: https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/2020-01 ✓ Attachment C City Department, agency & peer review letters/memos, with memo from AECOM and letter from Nathan Harvill, BCHA ✓ Attachment D Public Comment Links : <ul style="list-style-type: none"> • Link to all public comment to the Commission (from 7/15 to 9/11): https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/all_comments_received_by_pz_7.15.19_to_9.11.19.pdf • Link to all public comment to Council (from 8/5 to present): https://ketchumidaho.org/citycouncil/page/ketchum-boutique-hotel ✓ Attachment E Draft Findings of Fact, Conclusions of Law, Order of Decisions PUD and Copy of Signed P & Z Findings and updated 1/21/20 draft findings:

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<ul style="list-style-type: none"> ○ Draft Preliminary Plat Findings of Fact, Conclusions of Law, Order of Decision ○ Draft Planned Unit Development Conditional Use Permit and CUP Findings of Fact, Conclusions of Law, Order of Decision
SR-27 04477-04545	2020-02-03	Staff Report February 3, 2020 to City Council regarding Preliminary Plat and Planned Unit Development CUP Findings of Fact, Conclusions of Law, Order of Decision for PEG Ketchum Hotel, LLC and continue the development agreement portion of the public hearing until the Council's regular hearing on March 5, 2020 and attachments.
SR-28 04546-04638	2020-02-24	<p>C 2.8 Staff Report Ketchum Planning and Zoning Commission Special meeting of February 24, 2020 P20-015 (Design Review) Included the following:</p> <ul style="list-style-type: none"> • 2/24/20 Design Review Submittal Drawings -click on the following link: https://ketchumidaho.org/sites/default/files/fileattachments/planning_amp_building/project/37921/200212_-_ketchum_hotel_-_design_review_application_drawings.pdf • City Clerk Certificate of Service Findings of Fact, Conclusions of Law, Order of Decision of the City Council dated 3rd day of February, 2020 in File No. P19-063 dated February 5, 2020. • Planned Unit Development CUP City Council Findings of Fact, Conclusions of Law and Order of Decision File No. P19-063 (Attachment E.4.A) • Staff Highlighting of PUD Conditions of Relevance to Commission Design Review with highlighted Order of Decision and added commentary in red • Summary of City Department comments • Analysis of the Project Master Plan relative to the City of Ketchum 2014 Comprehensive Plan.
SR-29 04639-04731	2020-02-24	Staff Report to Planning and Zoning Commission special meeting of February 24, 2020 file no. P20-015 Design Review with attachments of 2/24/20 Design Review Submittal Drawings, Planned Unit Development CUP Findings, Staff Highlighting of PUD Conditions of Relevance to Commission Design Review, Summary of City Department comments, Analysis of Project

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		Master Plan relative to the City of Ketchum 2014 Comprehensive Plan.
SR-30 04732-04753	2020-02-28	Motion for Reconsideration filed by City Planning and Building Department Director on February 28, 2020.
SR-31 04754-04775	2020-03-02	John Gaeddert Recommendation memo to the Mayor and City Councilors dated March 2, 2020 with Staff Motion for Reconsideration for hearing date of April 6, 2020 of the PEG Ketchum Hotel, LLC Re-adjustment of Lot line to amend and reform the same. Memo includes the Motion for Reconsideration of Findings of Fact, Conclusions of Law and Decision and attached proposed draft First Amended and Reformed Findings of Fact, Conclusions of Law and Decision on File No. P 19-064.
SR-32 04776-04825	2020-03-09	Staff Report to Planning and Zoning Commission dated March 9, 2020 recommendation to review the additional materials requested of and submitted by the applicant, hold a public hearing and review any new testimony, and approve with conditions the PEG Ketchum Hotel Design Review and Attachments.
SR-33 04826-04830	2020-09-28	Staff Report to the Planning and Zoning Commission dated September 28, 2020 re: Application for Floodplain Development Permit File No. P19-062, Application for Planned Unit Development Conditional Use Permit File No. P19-063, Application for Waiver File No. P20-069 and Application for Lot Line Adjustment File No. P19-064 consisting of 5 pages
SR-34 04831-04835	2020-09-28	City of Ketchum Recommendation and Staff Report to the Planning and Zoning Commission dated September 28, 2020 consisting of 5 pages.
SR-35 04836-04891	2020-10-27	Staff Report <i>Attachment A</i> Cover Sheet October 27, 2020 with Planned Unit Development (PUD) Comparison Table - October 27, 2020 - two pages with the following attachments: <ul style="list-style-type: none"> • Attachment A - Warm Springs Ranch Resort PUD Public Benefits Summary. • Attachment B - River Run Master Plan PUD Public Benefits from June 7, 2010. • Attachment C - Simplot Ketchum Properties Public Benefits Summary

		<i>DESCRIPTION OF EXHIBITS AND DOCUMENTS</i>
		<ul style="list-style-type: none"> • Ketchum Tribute October 16, 2020 Planning Commission Supplemental Info with Exhibit A - Compliance with PUD Standards, Exhibit B - Additional Waiver Clarification, Exhibit C - Public Benefit of Project, Exhibit D - Trail Creek Improvements, Exhibit E - PEG & Marriott Pandemic Precautions by AJC Architects. • City of Ketchum Recommendation and Staff Report to the Planning and Zoning Commission dated September 28, 2020 consisting of 5 pages.
SR-36 04892-04958	2020-10-27	Staff Report to the Planning and Zoning Commission dated October 27, 2020 re: Application for Floodplain Development Permit File No. P19-062, Application for Planned Unit Development Conditional Use Permit File No. P19-063, Application for Waiver File No. P20-069 and Application for Lot Line Adjustment File No. P19-064 consisting of 11 pages and Exhibit A - PUD Comparison Table dated October 27, 2020, Exhibit B - Ketchum Tribute Supplemental Info (Power Pointe Presentation) Presentation dated October 16, 2020 and Exhibit C - Staff Report to the Planning and Zoning Commission dated September 28, 2020.
SR-37 04959-04975	2020-10-27	<p>Planned Unit Development (PUD) Comparison Table -October 27, 2020 - two pages with the following attachments:</p> <ul style="list-style-type: none"> • Attachment A - Warm Springs Ranch Resort PUD Public Benefits Summary. • Attachment B - River Run Master Plan PUD Public Benefits from June 7, 2010. • Attachment C - Simplot Ketchum Properties Public Benefits Summary • Findings, Decision and Conditions River Run Hotel Core Planned Unit Development (PUD) Conditional Use Permit (CUP) 2010 • Planned Unit Development Agreement with Simplot Properties, LLC January 2006. • Simplot Ketchum Properties Public Benefits Summary • Ketchum City Council Findings of Fact, and Conclusions of Law Simplot Planned Unit Development-Conditional Use Permit dated January 3, 2006

DESCRIPTION OF EXHIBITS AND DOCUMENTS		
		<ul style="list-style-type: none"> Planned Unit Development Agreement dated January 17, 2006 Simplot Ketchum Properties, LLC recorded as Instrument #533782.
SR-38 04976-04977	2020-03-09	Notice of Withdrawal of Staff Motion for Reconsideration File No. 19-064
SR-39 05428-05443	2021-01-28	Master Joint Staff Report to the City Council for Proceedings on Remand
SR-40 05444-05488	2021-02-01	Addendum Master Joint Hearings Staff Report to City Council for Proceedings on Remand
Studies Comparisons, Analysis and Survey Documents identified with prefix "SD"		
SD-1 04978-04981	Undated	Project Comprehensive Plan Analysis
SD-2 04982-04983	Undated	Hotels in Ketchum: Historic and Present Importance as Acknowledge by City Regulations.
SD-3 04984-04986	Undated	Ketchum Boutique Hotel Staff Parking Demand Analysis.
SD-4 04987-04990	2007-00-00	2007 Gateway Study / Pre-Application Design Review Submittal document.
SD-5 04991-05018	2008-06-05	Power Point 9a referenced CED and Hotels dated June 5, 2008 consisting of 28 documents.
SD-6 05019-05023	2018-10-00	Ketchum Through the Looking Glass Walkability Assessment Ketchum, Idaho dated October 2018 by Vitruvian Planning.

1.2 Planning and Zoning Hearings in chronological order:

DATE	Planning and Zoning Hearings
July 29, 2019	<i>Public Hearings on:</i> <ul style="list-style-type: none"> P19-062 Application for Floodplain Development Permit P19-064 Application for Lot Line Adjustment P19-063 Application for Planned Unit Development Conditional Use Permit
July 30, 2019	<i>Public Hearings on:</i> <ul style="list-style-type: none"> P19-062 Application for Floodplain Development Permit P19-064 Application for Lot Line Adjustment

DATE	Planning and Zoning Hearings
	<ul style="list-style-type: none"> • P19-063 Application for Planned Unit Development Conditional Use Permit
August 12, 2019	<p><i>Action Items:</i></p> <ul style="list-style-type: none"> • Commission adopted Findings of Fact, Conclusions of Law and Recommendations on PEG Hotel, LLC applications: <ul style="list-style-type: none"> ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Pre-Application Design Review to Full Review ✓ Planned Unit development/Conditional Use Permit <p>Bill Gigray, City Attorney, presented Development Agreement</p> <p><i>Action Item:</i></p> <ul style="list-style-type: none"> • Commission approval Development Agreement for recommendation to the Ketchum City Council.
February 24, 2020	<i>Public Hearing</i>
September 28, 2020	<p><i>Remand Hearing on:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit • P20-015 Design Review • P20-069 Application for Waiver • Permit Conditions Acceptance Agreement
October 27, 2020	<p><i>Hearing continued on:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P 19-063 Application for Planned Unit Development Conditional Use Permit <p>Continued the hearing to November 10, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals.</p>

DATE	Planning and Zoning Hearings
November 10, 2020	<p><i>Action continued hearing to December 15, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit
December 15, 2020	<p><i>Action continued hearing to December 22, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:</i></p> <ul style="list-style-type: none"> • P19-062 Application for Floodplain Development Permit • P19-064 Application for Lot Line Adjustment • P19-063 Application for Planned Unit Development Conditional Use Permit
December 22, 2020	<p><i>Action Items:</i></p> <ul style="list-style-type: none"> • Commission adopted Findings of Fact, Conclusions of Law and Recommendations on PEG Hotel, LLC applications: <ul style="list-style-type: none"> ✓ Master Joint Hearings Compiled Record of Proceedings on Remand ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Planned Unit development/Conditional Use Permit

1.3 Ketchum City Council Hearings in chronological order:

DATE	City Council Hearings
September 16, 2019	<p>Joint Hearings</p> <ul style="list-style-type: none"> • PUD • Development Agreement <p>Mayor Bradshaw announced the hearing will be on October 7, 2019.</p>
October 7, 2019	<p>Joint Hearings</p> <ul style="list-style-type: none"> • PUD • Development Agreement
December 2, 2019	<p>Joint Hearings</p>

DATE	City Council Hearings
	<ul style="list-style-type: none"> • PUD • Development Agreement
January 21, 2020	Joint Hearings <ul style="list-style-type: none"> • PUD • Development Agreement
February 3, 2020	Joint Hearings Preliminary Plat and Planned Unit Development/CUP and continued Development Agreement Public Hearing
March 16, 2020	Hearing Development Agreement
April 6, 2020	Consider Orders on pending applications
February 1, 2021	Joint Hearings <ul style="list-style-type: none"> ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Planned Unit development/Conditional Use Permit /including waivers Deliberation and Decision announce Directed FCOs' to be prepared
February 16, 2021	<i>Action Items:</i> <ul style="list-style-type: none"> • City Council adopted Findings of Fact, Conclusions of Law, Orders and Decisions on PEG Hotel, LLC applications: <ul style="list-style-type: none"> ✓ Master Joint Hearings Compiled Record of Proceedings on Remand ✓ Floodplain and Waterways Design Review ✓ Lot Line Shift ✓ Planned Unit development/Conditional Use Permit /including waivers.

SUMMARY OF ALL HEARINGS – CHRONOLOGICAL

1.4 July 29, 2019 Planning and Zoning Proceeding:

The Public Hearing was held on the following Applications: (1) P19-062 Floodplain Development Permit, (2) P19-064 Lot Line Adjustment, and (3) P19-063 Planned Unit Development Conditional Use Permit, Pre-Application Design Review and Development Agreement. PEG Ketchum Hotel, LLC submitted drawings, narratives, and studies for the development of a 100-room hotel at the southwest corner of River Street and State Highway 75/Maine Street ("Gateway Site"). This joint hearing on

these related applications. The Meeting started with a site visit to 251 S. Main Street, 260 E. River Street, 280 E. River Street subject real properties of project applications.

1.4.1 The following persons making statements before the P&Z Commission are as follows:

- Ed O’Gara
- Ben Worst
- Mark Pynn
- Lars Guy
- Bruce Hinckley
- Bob Korb
- John Sahlberg
- Robert Adolph
- Susan Sahlberg

1.4.2 Planning and Building Department Staff [paraphrased]:

- **John Gaeddert**, City Planning and Building Department Director, recapped the criteria for the subject applications and the City Staff evaluation of the Project. He outlined the proposal to change the three existing lots into one lot subject to some 15 conditions as noted in the staff report.
- **Brittany Skelton**, City Senior Planner, presented and overview and outline of the meeting process

1.4.3 Applicant Representatives [paraphrased]:

- **Nick Blayden** of PEG Ketchum Hotel, LLC provided back ground on the Applicant.
- **Justin Heppler**, AJC Architects, outlined the development and design aspects of the project with the site features.
- **Ryan McMullen**, AJC Architects, for the Applicant discussed the landscaping and project roof top features.
- **Jeff Loomis**, Galena Engineering, reported on the projects civil engineering (sewer, water, power, gas, sidewalks, streets, traffic patterns, crosswalks) and the surveying of the project.
- **Ryan McMullen** made a presentation regarding the four proposed waivers: (1) Height, (2) FAR; (3) Lot Size, and; (4) Highway setbacks.
- **Scott Johnson**, Hills Engineering, presented the Traffic Study, delineating the level of service, peak hours, traffic flow at different times of the day and of the week and year.

- **Sean Flynn**, Galena Engineering, discussed the protections of Trail Creek on the southerly property boundary regarding the high-water mark on the north side of Trail Creek during the construction of the project.

1.4.4 **Commission Actions [paraphrased]:**

- Approved the application for Floodplain Development and Waterways Design Review.
- Approved the Lot Line Shift Application subject to recommended conditions.
- Recessed the public hearing on the other applications to reconvene on July 30, 2019.

1.5 July 30, 2019 Planning and Zoning Proceeding:

The Public Hearing was continued and reconvened on the following Applications: (1) P19-062 Floodplain Development Permit, (2) P19-064 Lot Line Adjustment, and (3) P19-063 Planned Unit Development Conditional Use Permit., Pre-Application Design Review and Development Agreement.

1.5.1 **The following persons making statements before the P&Z Commission are as follows:**

- Jima Rice
- Pat Duggan
- Ben Worst
- Bruce Hinkley
- Jerry Seiffert
- Lars Guy
- Lane Thompson
- Mark Pynn
- Harry Griffith
- Susan Sahlberg

1.5.2 **Planning and Building Department Staff [paraphrased]:**

- **Brittany Skelton**, City Senior Planner, presented to accept posting of the agenda, draft Development Agreement, and the Staff presentation.
- **John Gaeddert**, City Planning and Building Director, gave the staff report on the Planned Unit Development/Conditional Use Permit.

1.5.3 **Applicant Representatives [paraphrased]:**

- **Nick Blayden** of PEG Ketchum Hotel, LLC introduced the Pre-Design Review of the Project.
- **Justin Heppler**, AJC Architects, presented the Design Review and addressed topics of concern referred at the hearing on July 29th involving height, setbacks, and shadows.

- **Scott Johnson**, Hills Engineering, discussed parking and traffic.

1.5.4 **Commission Actions [paraphrased]:**

- Closed public comment.
- Advanced Pre-Design Review Application to full Design Review with conditions and directed staff to prepare FCOs.
- Approved the Planned Unit Development and Conditional use Permit Application and draft findings with clarification.
- Approval of draft Development Agreement.
- Continued the hearing to August 12, 2019 for receipt and approval of FCOs.

1.6 **August 12, 2019 Planning and Zoning Proceeding:**

Action Items:

- Commission adopted Findings of Fact, Conclusions of Law and Recommendations on PEG Hotel, LLC applications:
 - ✓ Floodplain and Waterways Design Review
 - ✓ Lot Line Shift
 - ✓ Pre-Application Design Review Advanced to Full Design Review
 - ✓ Planned Unit development/Conditional Use Permit
- Commission approval Development Agreement for recommendation to the Ketchum City Council.

1.6.1 **The following persons making statements before the P&Z Commission [paraphrased] are as follows:**

- **Bill Gigray**, City Attorney, presented Development Agreement.

1.7 **September 16, 2019 City Council Proceeding:**

The Public Hearing notice for the September 16, 2019 hearing at 4:00 p.m. due to a notice error. It was announced by the Mayor that the hearings on the Ketchum Boutique Hotel at 260 and 280 River Street and 251 S. Main Street applications for Planned Unit Development, Conditional Use Permit, and Development Agreement will not be commenced until October 7, 2019 at 4:00 p.m. No presentation was made by the applicant or staff, and no deliberations or discussion on the matter was held by the Council. However, those members of the public who were in attendance at the hearing and unable to attend the re-noticed public hearing for October 7, 2019 were

allowed to provide public comment with said public comment to be included as part of the record of October 7th hearing which included the following:

1.7.1 The following persons making statements before the City Council [paraphrased] are as follows:

- **John Sahlberg**, 321 Leadville in Ketchum, who expressed concern and frustration that the P & Z was relying upon a study from 2002 and that it was old and not useful and that the P & Z is recommending the granting of waivers because they have done it before. Referenced the Barriteau project.
- **Gary Hoffman**, 235 Spur Lane in Ketchum, found it refreshing that a large company is coming to Ketchum but would prefer they purchase the Barriteau Hotel property. Discussed proposed construction by ITD and positives and negatives of the proposal. He also mentioned housing and tourism and zoning, rentals and zoning laws need to be changed and would like to see a City stand against oversized construction.
- **Dr. Alexander**, 110 Sweetbrier in Blaine County, wanted information as to why the Council and P & Z got to the root of why they recommend this project.
- **Vicky Graves**, resident of Ketchum, concerned about safety at the corner and opposed to the hotel.
- **Kevin Livingston**, 115 S. Leadville, started the digital petition and no one understands what is being proposed and that the Council needs to uphold with the public wants. He expressed concerns about the waivers granted to the Barriteau project.
- **Penelope Street**, born and raised in Ketchum, currently works with homeowners and is concerned about high costs of living and working in Ketchum and concerned about project employee housing.
- **John Heaney**, 110 Williams Street, is opposed to the height of the project.
- **Lisa Leach**, Blaine County resident, did not want to see variances granted. Recommended that an industrial psychologist be hired to study the proposed housing and was concerned about the adequacy of employee parking.
- **Pamela Sabel**, business owner at 180 Leadville Ave. N., concerned with the hole in the ground unfinished hotel project across Highway 75 and would like to see that project completed before starting another one and wanted more information.
- **Emily Nardel**, resident since 1983 and resides at the corner of River Street and 1st Ave. S., stated that the building will impact her ability to get out of her home and had concern with zoning changes.

- **Susan Scovell** has served on P&Z and urged Council to support P&Z recommendation.
- **Frank Dressman**, Blaine County Resident, was frustrated by the P&Z waivers and recommended that the Marriott possibly build a building that blends with the community.
- **Susan Sahlberg**, 321 Leadville, Ketchum, stated that the project does not fit in the space and that a smaller hotel could fit in the space.

1.8 October 7, 2019 Hearing Conducted before City Council:

The Public Hearing correctly noticed October 7, 2019. The public hearing was commenced by the Council, at 4:00 p.m. on October 7, 2019 at 4:00 p.m. for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.8.1 Applicant Representatives (paraphrased):

- **Cameron Gunter**, CEO of PEG Development, presented his background information and discussed the benefits of the hotel brand {Marriot} which can be modeled to the community and can bring more people to the area and that onsite employee housing is critical to the success of the hotel project.
- **Nick Blayden**, Applicant Project Manager, presented the site plan provided information on what is currently on the site, the economics of the project and reviewed market study and estimated property tax and sale tax benefits. Stated that the project will have 30 beds for employee housing on site with some employees coming from off site.
- **Justin Heppler**, Applicant Architect, discussed that the Applicant allows design to cater a project to the local community. Discussed who they are trying to attract to the area and their process for creating the hotel. He reviewed the project design, public amenities for each level and the employee housing component of 30 beds for employees. That the project supports the City's comprehensive plan and clarified the height of the project and that it is lower than the neighboring hotel Limelighter and the Bariteau project. He stated the designs are not complete. He reviewed the waivers requested, size of the acreage, floor area ration waiver for employee housing and set back waivers on three sides. He also discussed changes made to the project based upon P & Z review process. Responded to Council questions and concerns.
- **Ryan Hales**, Hales Engineering, for Applicant discussed the traffic study, liver of service and how they calculated traffic conditions, signalized, and stop controlled intersections. He also discussed existing conditions and future growth estimates and reviewed the traffic count and River St. and Maine Street intersections.

1.8.2 Public Comment (paraphrased):

- **Scott Hanson**, Homeowner Trail Creek Crossing, helped with the online petition. He is not opposed to hotels but objects to location of the Application. That the project is not in scale and would detract from the City's entrance and was concerned about traffic and waivers. That people rely upon zoning and waivers should not be granted. He discussed the survey's and petitions that have been circulated and that the project should not go forward.
- **Elaine Harks**, resident of Ketchum, stated she is not anti-hotel concern is zoning are laws standards for only suggestions
- **Pat Duggan**, resident and property owner in Ketchum, discussed her concerns about waivers granted in the past and that granting waivers needs to stop. Wants projects brought to the public in earlier time frame and references the petitions and other public comments.
- **Tom Benson**, Ketchum resident and property owner. Did not want exceptions to be made and not to grant waivers and discussed the number of employee housing needed and that the employee housing be moved to another location and how to change the design to fit the land.
- **Lars Guy**, is a tenant in the building on the west side of the Project. He was concerned about the height of the building and was concerned about parking wanted continued review.
- **Jima Rice**, Blaine County resident. Recommended that the project be sent back to Planning and Zoning.
- **Gene Abrams** discussed the variances given to the Limelighter Hotel that should not be precedence for variances for this project. Questioned the occupancy and need for another hotel. Referenced another Marriot down the road and questioned employee housing did not make sense and questioned the tax income benefit to the City.
- **Dick Clotfelter**, resident of 151 S. Main lives on the top floor of the neighboring Limelighter Hotel. He was concerned with the plan and design of the project that he had hired and architect. He was concern with the traffic that will occur on River Street, fire safety on River Street due to the road being closed and that the project plan for parking, loading and garbage removal will cause problems.
- **Sally McCollum**, Ketchum resident, used to own the building to the west of the project. That the project is too large for the site and is too big along with the Limelighter Hotel for the City entrance.
- **Heidi Schernthanner**, Ketchum resident, complained about the City continuing to offer waivers for private homes and hotels and that traffic was a large problem.

- **Mark Penn**, President of East Fork, concerned that the application ignores the zoning by applying for variances. Wanted the T-zone standards maintained. That the building height waiver request was not appropriate and voiced concerns about parking. He was not opposed to the project but wanted it designed to fit in the neighborhood better.
- **Pam Bailey**, Sun Valley resident, voiced concern over traffic and economic development impact.
- **Dell Ann Benson**, Trail Creek Crossing, was concerned about construction and noticing issues and object to the project across the street to the east as the hole in the ground at the entrance to the City and was opposed to the project.
- **Mickey Garcia** referenced the history of Ketchum, and was in favor of the development and the height no worse than the Limelighter across the street and that the public here does not want to let any other development in Ketchum.
- **Michael Brown**, from Aspen Colorado, He owns the Tamarack and Ketchum Hotel. He was against the project and that Ketchum was eclectic and that it should stay that way.
- **Jim Laski**, attorney representing the Limelighter Homeowner's Association, that his client objected to the design and was concerned with traffic. He discussed ITD's plan and not knowing when it would be implemented That the Limelighter did not have any waivers but employee housing and was concerned about traffic circulation plan.
- **Gary Slette**, represents Jan Clotfelter, his client is not against a hotel but concerned about traffic and circulation. He referenced his letter to the Council about River St. access and Main Street road closures.
- **Gary Lipton**, resident of Ketchum. He is for the Hotel but wants waivers addressed appropriately. If this does not go forward, it will affect future investors.
- **Melissa Lipton** is against waivers being issued for the project. Concern over character of the entrance to Ketchum.
- **Ben Worst**, 220 River St., LLC. His client is in support of a hotel at that location but concern of PUD's waivers and that these waivers make the zoning meaningless. Wants the hotel to be best it can be and was concerned about traffic, parking issues, view corridors.
- **Jerry Seifert** voiced support for the project
- **Ed O's Gara** on River Street, he is the closest resident to the project and the Limelight Hotel. Concern with parking.
- **Brian Barsotti**, Ketchum resident, discussed history of trying to put a hotel in Ketchum that slack is very hard for in this area and hospitality has

changed. This is due to competition with Air BnB and other rentals in the area. Concern is waivers given to this project will have to be given everywhere.

1.8.3 **Planning and Building Department Staff:**

- **John Gaeddert**, Director of the City of Ketchum Planning and Building Department (the “Director”), provided the Staff Report, discussed the history of the project Application and a study that had been done.

1.8.4 **Mayor and Council issues of concern:**

- **The Mayor and members of the Council** questioned the Applicant Representatives regarding the following issues related to the impact of the Application:
 - Traffic circulation and pedestrian safety;
 - Employee housing and affordable housing; and pedestrian crossing. Responded to the Mayor’s and Council’s questions and concerns about affordable housing; and
 - Setbacks and height.
- **The Mayor and members of the Council** questioned the Director regarding the following issues related to the impact of the Application:
 - Bulk reduction;
 - What the Idaho Transportation Department’s plans are for Highway 75 and road improvements; and
 - Height and traffic flows.

1.8.5 **Mayor and Council action:** Approved a motion to continue the hearing to December 2, 2019 at 4:00 p.m. due to the complexity of this project and the need for more information to be presented.

1.9 **December 2, 2019 Hearing Conducted before City Council:**

The Public Hearing was continued to receive more information by motion of the City Council during the October 7, 2019 public hearing. The public hearing was commenced by the Council, at 4:00 p.m. on December 2, 2019 at 4:00 p.m. for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.9.1 **Applicant Representatives [paraphrased]:**

- **Nick Blayden**, Applicant Project Manager, discussed the Applicant’s open house and had heard from the public and were show the changes they have made to the project contained in Applicant’s Master Plan Version 2.
- **Justin Heppler**, Applicant Architect, presented a power point showing 10 things they changed in the project design since the hearing of October 7th

contained in Applicant's Master Plan Version 2. These included changes in the delivery and loading zone area as requested by Sherri Newlands P.E. City Engineering, access from Highway 75, sustainability, updated floor plans and the massing of the building and employee housing plans.

1.9.2 Public Comment [paraphrased]:

- **Heidi Scherthanner:** thanked Applicant for improvements in the plans.
- **Jima Rice:** Thanked Applicant for improvement in plans, was critical of the P&Z Commissioners' review of this application. That the size of the project not small enough in mass and recommended eliminating the employee housing and that the Applicant make a contribution in lieu of providing housing in the project and eliminate the roof top bar. Discussed the 2014 Comprehensive Plan.
- **Harry Griffith,** Executive Director of Sun Valley Economic Development: Spoke about the economic benefits of this project as being worth \$1.6 million to the community. That it directly impacts tourism and that is was an important project in that regard. He discussed the jobs the project will create and the number of new visitors it will bring to town. He stated that the 23-employee housing units is significant. He discussed the contribution to Local Option Sales Tax ("LOT") that the project will bring. He referenced that the Marriott brand helps put Ketchum on the map. He obtained his information from the Applicant and found it consistent with the input and output model that has been used in the community.
- **Lucy Barrett,** expressed concern about the City's infrastructure and if the City has addressed this concern. Expressed concern over parking and the conditions of the City's Roads. Concern over the number of people this could bring and the ability of the hospital to hand it.
- **Mickey Garcia,** stated the P&Z did a wonderful job on this project, he is pleased with the design and that the people who are against it are selfish.
- **John Sahlberg,** lives in Trail Creek Crossing and was affected by the project and expressed is not wanting Ketchum to be like Jackson, Wyoming or Park City, Utah and opposes granting any waivers and respect for Ketchum's values.
- **Susan Niemann,** 40 years of residency in Ketchum and agrees with John Sahlberg, and concerns about the Applicant's renderings and that the project be build and landscaping consistent with project renderings.
- **Lars Guy,** immediate neighbor, questions regarding the T-zone and setbacks and concerned about the relative scale and how it will look to the surrounding residents and that it is dangerous to grant waivers.
- **Dick English,** Ketchum resident, concerned with utilities and natural resources. Questioned the City's ability to provide water and accommodate

the wastewater and was concerned about electrical power and natural gas needed for the Project effect on these systems.

- **Kevin Livingston** is concerned about transparency and there has been an overwhelming opposition response to the number of waivers applied for. He again discussed his opinion and that it cannot be good for Ketchum. That the people will be paying a lot more taxes that what the project will bring in. Stated the project needs to be scaled back.
- **Tom Benson**, Ketchum resident, opposed to the height variance and that it will devalue the property that surrounds the Project and discussed a review that praised the Ketchum area and does not want Ketchum to turn into a Jackson, Wyoming or Park City, Utah.
- **Susan Sahlberg** liked the changes to the project that have been made but the waivers are still of concern and she opposed the height waivers.
- **Grace Summers** moved to Ketchum for the economy. That for young people this Project is a great opportunity to grow the economy. Discussed how Marriot is involved with corporate travel and how corporate employees then use Marriot hotels with they do personal travel. She was concerned that if this Project is turned down then Ketchum will not be attractive for other major brands of hotels. She also was in favor of the Roof Top bar which the Community could use.
- **DelAnn Benson** commended the Applicant on the amount of work they have done but not enough and that the project should meet the standard set for the zone. She questioned the statements of the Executive Director of Sun Valley Economic Development and the jobs this Project will bring. That the Project looks better than what is there now is no reason to grant this Application.
- **Pat Duggan** stated that the Applicant needs to find another location, that the proposal is in the wrong spot and the P&Z Commissioners should have more thoroughly looked at the location.
- **Jim Laski**, Representing the Limelight Residents HOA. Their major concern is Highway 75 and River St. They oppose the angle parking scenario and the loading zone proposal. Concern about semi-trucks and the timing of deliveries and backing in and out for deliveries and expressed concern that the housing proposed as referenced at this hearing was different than what was in the Council Packet and that the biggest concern was traffic and vehicular use of Highway 75 and River Street.
- **Ed Johnson**, Ketchum resident, stated no reason the housing should be on site and wanted the housing off site.
- **Mark Penn** stated that the Applicant's current design was in response to public concerns but more work needs to be done to address those concerns. Discussed concern over P&Z Commissioners and zoning and

concern about approval of the Project as presented creates a bad precedent in Ketchum.

- **Gary Slette** represents Mr. & Mrs. Clotfelter. They are not opposed to the use if it fits and complies with the Zoning criteria. They are concerned with River St. right-of-way for delivery truck parking and that the Council look at River St. plan to come up with alternatives.

1.9.3 City Engineering Consultant:

- **Kordel Brayley**, Independent Engineer hired by the City of Ketchum, was introduced by the Mayor to discuss traffic circulation issues presented by this Project. Mr. Brayley recommended the access to the Project be off of River St. He responded to Council question about elimination of the left turn regarding Highway 75 which he has not reviewed.

1.9.4 Mayor and Council issues of concern:

- Concerns about left turning regarding the intersection of River St. and Highway 75; and
- Access to the Project needing to be off of River St. not Highway 75; and
- Discussed encroachment proposals at page 86 and 87 of the Council Packet; and
- Discussion of retaining the middle of River St. where it is and not having diagonal parking move it which will reduce the size of the plaza and the effect on the length of the cross walk over River St.
- Discussion regarding the height waiver; and
- Discussion of benefits of employee housing and discussion of building affordable housing at another location and the need to see the Applicant comply with 1.6 Floor Area Ratio ("FAR") and had concern with the FAR waiver request; and
- Discussion of the setback waiver on the west side.

1.9.5 Mayor and Council action: Approved a motion to continue the hearing to January 21, 2020 at 4:00 p.m. due to the complexity of this project and the need for more information to be presented.

1.10 January 21, 2020 Hearing Conducted before City Council:

The Public Hearing was continued to receive more information by motion of the City Council during the December 2, 2019 public hearing. The public hearing was commenced by the Council, at 4:00 p.m. on January 21, 2020 at 4:00 p.m. for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.10.1 Applicant Representatives (paraphrased):

- **Nick Blayden**, Applicant Project Manager, discussed that this was their third presentation of the Application. the Applicant's open house and had heard from the public and were show the changes they have made to the project contained in Applicant's Master Plan Version 2.
- **Justin Heppler**, Architect, who referenced the Applicant's Master Plan Version 3 and discussed the 4 waivers that are being requested by the Applicant as a part of Applicant's PUD Application:
 - #1 – Minimum Lot Size for PUD waiver is necessary in order to build a hotel on the site; and
 - #2 – Floor Area Ratio – The Master Plan Version 3 maintains the employee housing component but have reduce the FAR to 1.57 as compared with the original Master Plan of 1.9. He used a power point to assist his statement about how they were able to make that reduction. He also referenced that the FAR 1.57 is lower than the request by the Council at the December 2nd hearing to reduce it to 1.6.
 - #3 – Average Setbacks – The Applicant was still seeking set back waivers on 3 sides and then described the Master Plan Version 3 on each of the 3 sides.
 - #4 – Height/Contextual Elevations – He explained showed that the elevations of the building in the Master Plan Version 3 is 27' lower than the Barriteau project across Highway 75 and 25' feet lower than the Limelight hotel. He talked about the Right of Way Waivers and outlined the curb lines.

He also referenced that the Applicant in discussion with Idaho Transportation Department on Highway 75 and making some headway.

He also discussed the sustainability facets of the project and briefly reviewed the floor plan and the views of the project and employee housing component.

1.10.2 City Attorney (paraphrased):

- **Bill Gigray** reviewed with the Council the Planned Unit Development Standards and Process as it applies to the pending application.

1.10.3 Planning and Building Department Staff (paraphrased):

- **Abby Rivin**, Associate Planner, discussed the waivers and how the FAR is calculated and how setbacks and height is calculated for waiver purposes and what the standards were without waivers.

1.10.4 Public Comment (paraphrased):

- **Ben Worst**, Attorney representing 220 East LLC, neighboring property owner to the west of the Project. Stated that the waivers being requested are huge. Stated that Ketchum has never had average setbacks. That the formulas used to determine the setbacks that it is only 11'8" from the Project to his client's property line. He requested the Council to increase that distance as much as possible up to 24'. He questioned what the undue hardship was for the Applicant. He stated under the PUD ordinance there is a need to set conditions and the need to meet the standard by reducing the height, increase setback and primarily meet the City's standards and compatibility with the neighboring properties.
- **Scott Hanson**, homeowner at Trail Creek Crossing, stated the City has misinterpreted its code. That the Applicant was aware of the Code requirements prior to the purchase of the subject property and that the waivers requested are detrimental to public health & safety and referenced the signed petitions and letters posted. He has concerns about traffic and the traffic study and problems that will be created by the Project. He stated this project would decrease the value of property around the project. He stated the property owners have hired an attorney and will fight for their rights. He stated the Project is inconsistent with the Tourist zone it is in and inconsistent with the neighborhood. That granting the waivers constitutes spot zoning without a rezone of the property and requested the Council to deny the requests for waivers.
- **Jima Rice** complained that the Mayor and the head of P&Z had solicited the hotel and those communications were not given to the Council or the P&Z Commissioners and this was Open Meeting Law violation. She requested that the Council deny waivers that were *defacto* approved and if the Applicant cannot meet those standards then must withdraw the application.
- **Dick Clotfelter**, 151 S. Main St. in Ketchum, requested that the zoning standards of the Tourist Zone be followed and that the Council reject the application. He recommended that new plans be brought back to P&Z accordingly.
- **John Sahlburg**, homeowner at Trail Creek Crossing, stated the height waiver requests are monumental and the process is frustrating the public. Concerned the project would forever change Ketchum. This project and waiver will be detrimental to the public welfare and referenced all the letters and petitions that have been submitted. He stated there is nothing being proposed that is for the public welfare and that the property owners on 3 of 4 sides have stated it will be detrimental to the surrounding area. He requested the Council to deny the application.

- **Sharon Patterson Grant**, representing the KSEAC, discussed the groups support (not inclusive of City members) of the sustainability measures the Applicant has incorporated in the Master Plan Version 3 that reflect the group's goals. She recommended getting some level of 3rd party certifications to guarantee energy efficiency such as Lead Certification and that they are proceeding with Green House Inventory in Blaine County with all jurisdictions including Ketchum. She is only speaking for water/waste and energy reduction.

1.10.5 Mayor and Council action:

- Closed public comment
- Proceed to deliberate:
 - Sought legal clarifications from Bill Gigray, City Attorney;
 - Sought clarification on the procedure for design review of this Application and Project and average setbacks from John Gaeddert;
 - Continued their deliberations; and
 - Sought clarification from the Applicant's architect on setbacks.
- Motion made by Councilor Hamilton, Seconded by Council President Breen, to approve the Planned Unit Development Conditional Use Permit and CUP for the PEG Ketchum Hotel for Master Plan Version 3 as recommended in the Staff Report Findings with the condition in section 2.2.11 of the recommended Staff Report findings be revised for the west setback to be not less than 16' and that section 4.5.2 of the recommended Staff Report findings include that the building be LEED Silver Certified and to direct the City Engineer, consistent with condition 4.2.4 of Attachment E.4.A, to work with the Applicant to complete the State Highway 75 (SH75) Encroachment Permit with the Idaho Transportation Department (ITD) that excludes (other than emergency Access) and direct approach into the project; and Direct the City Attorney and Planning Staff to Prepare Findings of Fact, Conclusions of Law, Order of Decision of the City Council for the City Council's consideration, approval and adoption at the continuance of this hearing.
 - Voting *Yea*: Council President Breen, Councilor David, Councilor Hamilton
 - Voting *Nay*: Councilor Slanetz
- Motion to continue the public hearings to the Ketchum City Council meeting to be held on February 3, 2020 at 4:00 pm as follows:
 - Regarding the development agreement, to receive applicant reports, staff reports and public testimony for City Council consideration and action;

- Regarding the application for Planned Unit Development Use Permit and CUP in order, to receive the city attorney's and planning staffs prepared Findings of Fact, Conclusions of Law, Order of Decision as directed in first Motion for City Council consideration, approval and adoption and final action; and
- Regarding the application for Preliminary Plat in order, to receive prepared Findings of Fact, Conclusions of Law, Order of Decision as directed in second Motion for City Council consideration, approval and adoption and final action.

1.11 February 3, 2020 Hearing Conducted before City Council:

Joint Hearings Preliminary Plat, Planned Unit Development/CUP and continued Development Agreement Public Hearing reconvened from January 21, 2020 for the receipt of the FCO's and continue Development Agreement hearing.

1.11.1 City Staff [paraphrased]:

- **Bill Gigray**, City Attorney, regarding Gary Slette's questions from the January 22, 2020 hearing letter of February 27, 2020 argues for the following interpretation of the provisions of KMC § 16-08.080: and legal issues associated with ordinance construction and waiver issues. He also advised the Council on the current process of the above-entitled matter.

1.11.2 Planning and Building Department Staff (paraphrased):

- **John Gaeddert**, Director, recommended the City Council review and approve the propose findings of fact, conclusions of law, order of decision for the PEG Ketchum Hotel, LLC applications for Preliminary Plat and Planned Unit Development Conditional Use Permit and continuance of the Development Agreement portion of the public hearing until March 16, 2020.

1.11.3 Public Comment (paraphrased):

- **Ben Worst**, Attorney for 220 River Street, LLC expressed gratitude from his client for the 16' setback on the west side of the project but wants to be sure there is a complete 16' setback. He wanted set back condition to be clear.
- **Jim Hunglemann** made reference to the meeting at the Limelight hotel and stated there is not a need for additional hotel space.

- **Ananda Kriya** felt the Planning and Zoning Commission was going too fast and in the wrong direction. What does the community really want and does not see the need for another hotel.
- **Pamela Zabel** referenced that the parking lot was good but nothing else. Concerned with the construction and the streets. Does not believe that hotels are overcrowded and does not see the need for another hotel.

1.11.4 Mayor and Council action:

Action Items:

- Approval of PEG Preliminary Plat Findings;
- Approval of PEG Planned Unit Development CUP Findings; and
- Continued the public hearing on the Development Agreement to March 16, 2020.

1.12 February 24, 2020 Planning and Zoning Proceeding:

Design Review: This meeting started with a site visit to 260 E. River Street (Lots 1,2,3 and Fr 21 and 22, Block 82, original townsite. The hearing was reconvened to consider action on the Design Review Application.

1.12.1 Applicant Representatives (paraphrased):

- **Nick Blayden**, PEG Ketchum Hotel, LLC, complimented the design team for its work. In response, he explained that the bar is not a party place but a low-key, after skiing gathering spot.
- **Ryan McMullan**, AJC Architects, presented the Design Review. He advised that the design team has worked on Dark Skies requirements and Sustainability. He presented an overview of the site plan, traffic merges, mass, employee housing, and each of the floor plans exterior materials to be used and the rooftop bar. He responded to concerns electrical locations mandated by Idaho Power and the location of public utility easements. He stated that the laundry venting is passive system not forced and involves commercial gas dryers venting to that side with not lint to be emitted. Walkways on the Hotel property would be heated. He also addressed noise issues as a priority and lighting will conform to Dark Skies standards. He showed Dark Skies lighting and energy efficient materials to be use.

- **Nicole Cary**, Kurt Eggers Associates Landscape Architects, noted landscaping is to include native plants. That the proposed landscaping along the highway promotes a forested atmosphere and the west side includes a buffer of trees and shrubs. The riparian zone to remain natural with possible public access. Some green roofs and terraces with planter.

1.12.2 City Staff [paraphrased]:

- **Bill Gigray**, City Attorney, responded to Attorney Gary Slette's argument regarding the minimum lot size and acknowledged that the Request for Reconsideration had been received by the City Council.

1.12.3 Planning and Building Department Staff (paraphrased):

- **John Gaeddert**, City Planning and Building Department Director, gave a summary of prior hearings and areas of consideration by the Commission and the City Council. That the City Council awaits the Planning and Zoning Commission's recommendations on the full Design Review which will become part of the Development Agreement. He advised that the City had received a letter seeking reconsideration of City Council Action. In response, advised the Commission of the recommended 15 conditions in the Staff Report.
- **Brittany Skelton**, City Senior Planner, commented that the proposed Trail Creek clean up and possible access could be approved administratively.

1.12.4 Public Comment (paraphrased):

- **Gary Slette**, Attorney for Dick Clotfelter and Big Burn, LLC & five owners of Trail Creek Crossings Condos, stated that they have filed a Reconsideration Request to the City Council. His clients support the concept but not this proposal. His clients object that the proposal does not meet design standards, objects to the number of floors, the waivers of minimum lot size and that the Commissioner follow the requirements of the zoning ordinance.
- **Ben Worst**, Attorney for 220 E. River Street, LLC, stated his client approves the current design including the 16 foot set back on the west but wanted more specific information on the retaining wall, utilities and the garage and laundry venting.
- **Joanie Cashman**, neighbor to the south, expressed concern with light pollution, traffic, possible and the amount of noise from the outdoor bar, and ice on the sidewalk into town.

1.12.5 Mayor and Council action:

Action Items:

- Motion to direct staff to prepare the final Findings of Fact, Conclusions of Law, and Order of Decision in accordance with the Staff Report of February 24, 2020 subject to the additional Findings and Order of Decision based upon the continuance of this hearing and the additional renderings brought forth to be included in the findings for consideration by the Commission on March 9, 2020; and
- Continued the hearing to March 9, 2020.

1.13 March 9, 2020 Proceeding before Planning and Zoning Commission:

Design Review: Hearing to consider and take action on the Design Review application.

1.13.1 Planning and Building Department Staff (paraphrased):

- **John Gaeddert**, City Planning and Building Department Director, introduced the Design Review landscaping, rendering, and mechanicals. He also discussed added conditions 16 and 17 to the Staff Report addressing concerns raised at the last meeting involving the terraced wall and the brightness of the fireplace. He stated in response to concern that generators are commonly placed within the setback.

1.13.2 Applicant Representatives (paraphrased):

- **Nick Blayden**, PEG Ketchum Hotel, LLC, introduced Applicant's Design Review presentation. He explained the parking and free public parking validation. In response, stated that he thought the generators could be placed inside the building, if necessary.
- **Justin Heppler**, AJC Architects, discussed the proposed firepit, exterior material and landscaping at each elevation. He addressed the impact of the terraced walls on the south side and that is had been broken up into panels. He advised that the wall could be space for public art and that the Conner Plaza with a fire pit would require an encroachment permit from the City. In response to question, he advised there would be lighted bollards at the driveway for safety.

- **Nicole Cary**, Kurt Eggers Associates Landscape Architects, provided an overview of the landscaping along Trail Creek and the Highway Sides of the Project.
- **Charles Despain**, mechanical engineer, explained the minimal impact of the mechanical venting, sound, and emissions on the west side of the proposed building. That the emergency generator would run once every 15 minutes and any time of the day and for maintenance and would produce a minimum sound and there is a sound barrier enclosure. He stated the boilers would vent through the roof and the dryers to the side at the lower end of the building. Lint traps would be used. There would be no fumes and minimal steam would be emitted. The vents are 15 feet from the property line and landscaping would be planted in the setback.
- **Whipple** stated the noise would be mitigated since the noise would affect hotel guests as well as neighbors.

1.13.3 Public Comment (paraphrased):

- **Bob Korb**, 220 E. River Street, concerned about the vents near the neighboring building to the west. He stated the generator cannot be located within the setback. He has concern about noise and odors and asked that the Commission require the vents to be moved.

1.13.4 Mayor and Council action:

Action Items:

- Motion to approve the PEG Ketchum Boutique Hotel, LLC Design Review Application with Conditions as set forth in the Findings of Fact, Conclusions of Law, and Order of Decision provided in attachment 1 of the Staff Report and authorize the Chair to sign subject to conditions 1-18.

1.14 March 16, 2020 Proceeding before City Council:

Hearing on Gary Slette's Request for Reconsideration held as a Phone Conference.

1.14.1 City Staff (paraphrased):

- **Matthew Johnson**, City Attorney, recommended that the City Council continue this public hearing and that Gary Slette filed on behalf of his

clients Mr. and Mrs. Richard Clotfelter, Big Burn, LLC, Kevin Livingston, Scott & Karen Hanson, John & Susan Sahlberg, Thomas & Del-Ann Benson and Pat Duggan Request for Reconsideration of File No. P19-063, File No. 19-064 and advised this is not a public hearing and the procedure involved. In response he also advised that Council that it needs to add Slette's Exhibits A-D, E 1 and E2 and F and the Applicant submitted a brief letter but not further exhibits. He advised the Council to deliberate.

- **Bill Gigray**, City Attorney, responded with an explanation of the job of the Council in regards to requests for reconsideration and the two requests before the City Council and that it has 60 days to issue a written decision. He explained reconsideration before them that there are not waivers involved and issues of due process and the Open Meeting law and that in his opinion the Open Meeting Law had not been violated.

1.14.2 **Gary Slette (paraphrased)**: Presented his exhibits A-E which were displayed in the council chambers and reasons for the Requests for Reconsideration.

1.14.3 **Applicant (paraphrased)**:

Deborah Nelson, attorney, appeared for the Applicant in response.

1.14.4 **Mayor and Council action**:

Action Items:

- Approved motion to deny the March 11th Request for Reconsideration and direct the City Attorney to prepare a decision for the council's consideration and approval at their April 6, 2020 meeting.

1.15 April 6, 2020 Proceeding before City Council:

Conduct a hearing, pursuant the Request for Reconsideration of the *Findings of Fact, Conclusions of Law and Decision* of the City Council entered in the above-entitled matter on February 3, 2020, filed by Mr. Gary D. Slette, attorney at law of the firm of Robertson & Slette, P.L.L.C., as attorney for the clients claiming an error in the notices provided in the above entitled matter to neighboring property owners within 300' of the project was inadequate.

1.15.1 **City Staff (paraphrased)**:

- **Matthew Johnson**, City Attorney, provided a staff report regarding the notice to neighboring property owners had been given for only A lot 1 of the Project in the NE corner and as a result there were property owners who should have been but were not notified of the public hearings held in the above-entitled matter before the Planning and Zoning Commission and the City Council. He presented recommended Orders Vacating Findings of Fact, Conclusions of Law and Decisions of the City Council and Remanding the Applications to the Planning and Zoning Commission for Further Proceedings. He also explained the if the Council issues these recommended Order that Attorney Gary Slette's request for his clients for Reconsideration would be moot and should be dismissed.

1.15.2 Applicant Representatives Appearing:

- **Deborah Nelson**, Attorney for Applicant.

1.15.3 Gary Slette appeared.

1.15.4 Mayor and Council action:

Action Items:

- Approved Orders Vacating approvals and remanding the following matters back to the Planning and Zoning Commission for further proceedings:
 - P19-062 Application for Floodplain Development Permit
 - P19-064 Application for Lot Line Adjustment
 - P19-063 Application for Planned Unit Development Conditional Use Permit
- Order Suspending Design Review approval by Planning and Zoning Commission P20-19 and directing the conduct of additional hearings.
- Approved Motion to Dismiss the Motion for Reconsideration.

1.16 September 28, 2020 Proceeding before Planning and Zoning Commission:

This public hearing was conducted due to the City Council's having entered on April 6, 2020 the following Orders Vacating approvals and remanding the following matters back to the Planning and Zoning Commission for further proceedings:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit
- Order Suspending Design Review approval by Planning and Zoning Commission P20-19 and directing the conduct of additional hearings.

The Commission commenced the Remand Joint Hearings on:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit
- P20-015 Design Review
- P20-069 Application for Waiver
- Permit Conditions Acceptance Agreement

1.16.1 City Staff (paraphrased):

- **Bill Gigray**, City Attorney, responded to a question from the Commissioner Mead as to whether or not Commissioner Moczygemba could participate in these proceeds and vote since she had not participated [due to her being newly appointed] in any of the hearing thus far in the above-entitled matters. He opined that she could participate if she became familiar with the record of proceeds that have occurred.

1.16.2 Commissioner Moczygemba (paraphrased): Confirmed that she was familiar with the prior record of proceedings in the above-entitled matters.

Action Items:

- Tabled and continued the hearings In the Matter of the Permits Conditions Acceptance Agreement jointly with the continuance of the hearing In the Matter of Design Review subject to City Council Action on the other pending Applications and subject to notice of hearing of said matters having been first given as required by law.
- Included the record of all prior hearings on above referenced matters

1.16.3 Planning and Building Department Staff (paraphrased):

- **Brittany Skelton**, Senior Planner, gave a brief overview of the applications including the public amenities, landscaping, and setbacks.
- **Suzanne Frick**, Planning and Building Department Director, presented the public comment and staff report.

1.16.4 Applicant Representatives (paraphrased):

- **Jason Hepler**, AJC Architects, presented the Design Review application with power point presentation which was the same as the March 2020 presentation. He presented the evolution of the massing of the building during these proceedings. He highlighted amenities including the outdoor fireplace, restaurant, conference rooms, landscaping, and rooftop dining. He described the floor plans for each level including parking and workforce housing, guest rooms, meeting rooms and roof top bar. He also showed the exterior materials to be used.
- **Debra Nelson**, Attorney for PEG Hotel, LLC, addressed issues regarding the acceptance of the prior record and the noticing error. She explained that the City Code gives the Commissioners authority to grant waivers requested for lot size, height, side setbacks, outdoor space and number of floors and soundproofing, on-site work force housing and discussed the safety concerns of the proposed hotel access from Highway 75. She answered questions from the Commissioners.

1.16.5 Public Comment (paraphrased):

- **John Sahlberg**, property owner, is opposed to the height of the proposed hotel and noted comparisons to the unbuilt Auberg Hotel. He referenced the 2,500 signatures on an internet petition in opposition to the height of the hotel. He is opposed to waivers. Is of the view this project has been railroaded through and wants the Commissioners to consider public opinion.
- **Benjamin Worst**, Attorney representing the property owner to the west of the project, requested that the integrity of the set back on the west side of the Project be maintained and was concerned over the location of the generator, retaining wall for the transformer platform in the setback and requested the exhaust from the laundry be change.

1.16.6 Board of Commissioners action:

Action Items:

- Continue the hearings until October 27, 2020 for the receipt of additional information from City Staff on the comparison of other similar projects and waivers in the City of Ketchum regarding File No. P. 19-062 Application for Floodplain Development Permit, File No. P19-064 Application for Lot Line Adjustment and File No. P 19-063 Application for Planned Unit Development Conditional Use Permit

1.17 October 27, 2020 Proceeding before Planning and Zoning Commission:

Remand Hearing (continued from September 28, 2020) on:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

1.17.1 Planning and Building Department Staff (paraphrased):

- **Brittany Skelton**, Senior Planner, introduced for the record the matrix produced by City Staff at the request of the Commission on September 28, 2020 comparing waivers granted for comparable projects in the City of Ketchum.
- **Suzanne Frick**, Planning and Building Department Director, discussed proposed condition 14.2 regarding the terms of the parking spaces. That those spaces would be available to the public at no charge when using the Hotels' amenities but not otherwise.

1.17.2 Applicant Representatives (paraphrased):

- **Debra Nelson**, Attorney for PEG Hotel, LLC discussed the PUD application and the purpose of the PUD land use option and how it is used and administered and that the subject Project meets the City's PUD standards and is consistent with the City's Comprehensive Plan and incorporates the site's natural features into its overall design. In response to public comments, she stated that the development team will confer with the neighbor to the west and will look at the possibility of a stairway. Screening will be provided. They will meet with the neighbor prior to the Design Review hearing. She explained that the waivers make this a better project.
- **Jason Heppler**, AJC Architects presented justifications for each waiver request. He referenced that the waivers are used as a tool to improve the Project as follows:
 - Setback waiver facilitates a greater density; and
 - FAR: provides for employee housing and the quality of the proposed housing meets the intent of the BCHA.

Slope of the Site provides for a better community benefit as the Height of the building steps down and acts as a transition from downtown to Trail Creek. The height is 48' at River Street and 54' at Trail Creek and that the number of building stories at 6 is only in the center of the building.

He also referenced the public benefits of this project qualifying for a 4-star hotel with meeting spaces, a restaurant on River Street for indoor and outdoor dining and a roof-top bar. That this Project redevelops a blighted part of the town and will create increased tourism. The Applicant's project team will work with the City's Planning Commission to improve the existing riparian corridor, provide a natural fisherman's access, and public access to Trail Creek. He responded to Commissioner question about traffic patterns that IDT had not concerns but the Applicant would be open to changes.

1.17.3 Public Comment (paraphrased):

- **Benjamin Worst**, Attorney representing the property owner to the west of the project, referenced that Bariteau Hotel does not give entitlements to this Project. He urged the Commissioners to not consider any comparison to the Limelight Hotel which has public streets on all sides. He again emphasized the maintenance of the integrity of the setback on the west by not allowing the generator to be place there. He again requested venting be sent upward and not out the side toward the neighboring property. He stated the putting in stairs would take away form the amount of the screening.
- **Kristy Turco**, resident, stated that the Commissioners should protect property owners and retain the quality of life and character of Ketchum. She questioned the City infrastructure's ability to support an increase in tourist population.
- **Harry Griffith**, Sun Valley Economic Development, emphasized that the Project creates jobs, housing, economic development, increased public benefits, attracts a reliable operator with a loyal customer base which will reduce the seasonality, amenities need by the community. That this Project would be a positive for Ketchum and benefit the Community as a whole.
- **Kevin Livingston**, resident, questioned the building code. He discussed the public response to the request waivers was negative. He referenced an object to pre-public discussions and what the Commissioners to follow the codes and play by the rules.

- **Bob Crosby**, Board of Realtors, stated this Project would be an excellent addition to the City of Ketchum. He emphasized the economic benefits to the Community. He stated the Project had followed the code and ask Commissioners to consider the amount of investment being made by the Applicant for this Project.

1.17.4 Board of Commissioners action:

Action Items:

- Approve File No. P. 19-062 Application for Floodplain Development Permit
- Approve File No. P19-064 Application for Lot Line Adjustment
- Approve File No. P 19-063 Application for Planned Unit Development Conditional Use Permit with additional conditions with a new condition no. 21 that at the time of Design Review the Applicant shall be required to address venting of mechanicals that vent toward the western property line and provide detail related to how they are preventing impact to the adjacent property. Also modification to condition 3.4.1 to retain authority to modify the traffic patterns on Highway 75, specially the left turn lane traffic flow, if the traffic pattern instituted by Idaho Department of Transportation proves to be inadequate.

Continued the hearing to November 10, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on all approvals.

1.18 November 10, 2020 Proceeding before Planning and Zoning Commission:

1.18.1 Board of Commissioners action:

Action continued hearing to December 15, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

- 1.18.2 **Planning and Building Department Staff (paraphrased):** Communicated a request for additional time to complete the proposed findings of fact, conclusions of law and recommendations of approval

1.19 December 15, 2020 Proceeding before Planning and Zoning Commission:

1.19.1 Board of Commissioners action:

Action continued hearing to December 22, 2020 for Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

- 1.19.2 **Planning and Building Department Staff (paraphrased):** Communicated a request for additional time to complete the proposed findings of fact, conclusions of law and recommendations of approval

1.20 December 22, 2020 Proceeding before Planning and Zoning Commission:

Continued hearing from December 22, 2020 for the City Staff presentation and the Consideration of Findings of Fact, Conclusions of Law and Recommendations on approvals of:

- P19-062 Application for Floodplain Development Permit
- P19-064 Application for Lot Line Adjustment
- P19-063 Application for Planned Unit Development Conditional Use Permit

1.20.1 Planning and Building Department Staff (paraphrased):

- **Brittany Skelton**, Senior Planner, presented the following for the Board of Commissioners consideration:

1. MASTER JOINT HEARINGS COMPILED RECORD OF PROCEEDINGS ON REMAND FILE NOS.
 - P19-062 [Floodplain]
 - P19-063 [PUD]
 - P19-064 [Lot Line Adjustment]
 - P20-069 [Waivers]

- P20-015 [Design Review]
- 2. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-062
- 3. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-063
- 4. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-064

1.20.2 Board of Commissioners action:

Action Items:

Approve:

1. MASTER JOINT HEARINGS COMPILED RECORD OF PROCEEDINGS ON REMAND FILE NOS.
 - P19-062 [Floodplain]
 - P19-063 [PUD]
 - P19-064 [Lot Line Adjustment]
 - P20-069 [Waivers]
 - P20-015 [Design Review]
2. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-062
3. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-063
4. Findings of Fact, Conclusions of Law, and Recommendation to City Council File No. P19-064

1.21 February 1, 2021 Proceeding before City Council on remand:

The Public Hearing correctly noticed for joint public hearings on February 1, 2021. The joint public hearings were commenced by the Council at 4:00 p.m. on February 1, 2021 for the receipt of testimony and comment from City Staff, the Applicant and the public.

1.21.1 Planning and Building Department Staff:

- **Suzanne Frick**, Acting Director of the City of Ketchum Planning and Building Department (the “Director”), provided the Staff Report, discussed the history of the project Application and a study that had been done.

- Master Joint Hearings Staff Report to City Council for Proceedings on Remand and the Addendum Master Joint Hearings Staff Report to the City Council for Proceedings on Remand.

1.21.2 Applicant Representative (paraphrased):

- **Deborah Nelson**, attorney, appeared for the Applicant and provided an overview of the proposed Hotel project and requested permits and how it complies with City ordinance provisions.
- **Justin Heppler**, AJC Architects, presented a power point presentation of the Hotel Project and confirmed that there have been no design changes since this project was last before the Council. He reviewed each of the waiver requests and the basis for them. He outlined the public and community engagement the Applicant has initiated and conducted. He discussed the Hotel Project's amenities and public benefits and the project design changes the Applicant has made.

1.21.3 Public Comment (paraphrased):

- H P Boyle Stated that the project is not compatible with the City of Ketchum, too large for the site, concerned about the proposed employee housing and low paying jobs not needed.
- Ben Worst, 220 River St., LLC. His client is concerned that the 16' set back be maintained. That the generator be retained in the building, laundry and garage venting, parking lost be retained in the project for the public use and was opposed to a walkway in the 16' set back area of the project.

1.21.4 Applicant Representatives Rebuttal [paraphrased]:

- **Justin Heppler**, AJC Architects, explained that there was 46% open space in the Hotel Project footprint. That the employee housing will be desirable and has worked well in other locations. That the Applicant has not asked for the walkway that was brought up at the Planning and Zoning Meeting.
- **Nick Blayden**, Applicant Project Manager, discussed that there would be free parking for the public in the project and that the onsite employee housing units are a great benefit to the employees. He also discussed the measures that will be taken regarding venting from the Hotel Project.

1.21.5 City Council action:

Action Items:

- Approve File No. P. 19-062 Application for Floodplain Development Permit in conformance with the Planning and Zoning Commission’s recommendations.
- Approve File No. P19-064 Application for Lot Line Adjustment in conformance with the Planning and Zoning Commission’s recommendations.
- Approve File No. P 19-063 Application for Planned Unit Development Conditional Use Permit in conformance with the Planning and Zoning Commission’s recommendations.
- Continued the hearing to February 16, 2021 for Consideration of Findings of Fact, Conclusions of Law, Order of Decision on all approvals.

1.22 February 16, 2021 Proceeding before City Council on remand:

Action Items:

- City Council adopted Findings of Fact, Conclusions of Law. Order of Decision on all of the following PEG Hotel, LLC applications:
 - ✓ Master Joint Hearings Compiled Record of Proceedings on Remand
 - ✓ Floodplain and Waterways Design Review
 - ✓ Lot Line Shift
 - ✓ Planned Unit development/Conditional Use Permit

Adopted this 16th day of February, 2021.

City of Ketchum City Council

By: _____
Neil Bradshaw, Mayor