

HAILEY ORDINANCE NO. 989

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 6A "DESIGN REVIEW" TO ALLOW EXTENSION OF APPROVAL FOR COMMUNITY HOUSING UNITS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform with the Hailey Comprehensive Plan; and

WHEREAS, the amendments will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, the amendment will be in accordance with the safety and welfare of the general public; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1.

Section 6A.5 of Hailey's Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language, as follows:

6A. 5 **Step 6.**

In order for a building permit to be issued after final Design Review approval, final construction drawings must be reviewed and approved by the Building Department. Application for a building permit must occur within one year of Design Review approval, or as otherwise provided by agreement authorized by law. The expiration date may be extended once, for an additional six (6) months, upon written request. Such request must be received prior to the expiration date. In the event any Design Review approval is for community housing units, an extension period of up to eighteen (18) months may be granted. The Commission shall review and approve or deny the request for extension.

Section 2.

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3.

All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4.

This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 27th DAY OF AUGUST, 2007.

Susan McBryant, Mayor, City of Hailey

Attest:

Heather Dawson, City Clerk

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design review extension community housing #989