

HAILEY ORDINANCE NO. 990

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE 4.12, SERVICE, COMMERCIAL INDUSTRIAL DISTRICT, SECTION 4.12.2, SALES AND OFFICE SUBDISTRICT, TO CLARIFY THE PURPOSE AND CHANGE THE PERMITTED, CONDITIONAL AND ACCESSORY USES, AND SECTION 4.12.3, INDUSTRIAL SUBDISTRICT, TO CHANGE THE PERMITTED, CONDITIONAL AND ACCESSORY USES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING 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;

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

WHEREAS, the Hailey City Council has found that the proposed uses are compatible with the surrounding area; and

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

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

Section 1. Section 4.12.2 of Hailey's Zoning Ordinance No. 532 is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

4.12.2 Sales and Office Sub-District (**SCI - SO**). The purpose of the Sales and Office Sub-district is to allow for a master planned office, technology and service park and associated sales and support uses, as well as a location for the sales and service of large or bulky retail goods, or goods associated directly with the building trades. The sub-district is created to provide a location for those uses that might otherwise be appropriate in, but, by their nature, may be inappropriate for the Central Business District. The nature of those businesses which are appropriate for this sub-district are those that require a substantial number of service vehicles, have a substantial portion of the building area dedicated to storage or processing, or consist of uses or scale of operation that are better accommodated outside the Central Business District. This Ordinance assumes that the following list of uses is not exhaustive and that other like uses may be permitted upon administrative review pursuant to Section 1.5.2 of this Ordinance, as amended.

4.12.2.1 Permitted uses in the **SCI - SO** sub-district are limited to the following:

- a. Investigation and Security Services.

- b. Retail trade limited to the following: floor covering and window treatment, household appliances, woodstoves/fireplaces, spa/hot tub, building material and garden equipment and supplies (excluding hardware stores), farm and equestrian, and non-store retail (mail-order and vending machines).
- c. Services to buildings (janitorial/maintenance) and property management companies.
- d. Commercial brewery, bakery, or food catering where no retail sales are conducted.

~~v. Colleges, vocational and technical trade schools.~~ Deleted: Catering Services without on-site food sales

- f. Hybrid Production Facilities.
- g. Computer software development, manufacture and service firms.
- h. Construction equipment rental, storage, sales and service.
- i. Printing and publishing firms.

~~j. Guides and outfitters with no more than 20% of the floor area dedicated to retail sales.~~ Deleted: j. Pet grooming and sale of incidental products.¶
k

~~k. Construction trade contractors, excluding excavation and landscaping companies.~~ Deleted: l

~~l. Interior decorating and design that have no more than 20% of the gross floor area dedicated to on-site retail sales.~~ Deleted: m

~~m. Dwelling Units within Mixed Use Buildings.~~ Deleted: n

~~n. Radio and television recording studios and stations.~~ Deleted: o

~~o. Research and development facilities.~~ Deleted: p

~~p. Professional and general offices.~~ Deleted: q

~~q. Wholesale trade.~~ Deleted: r

~~r. PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~ Deleted: s

~~s. Parks.~~ Deleted: t

t. Artist studios, which have no associated gallery. Formatted: Indent: Left: 0.25"

u. Photography studios and photo processing.

4.12.2.2 Conditionally Permitted uses for the **SCI - SO** sub-district include the following:

~~a. Dance and martial art studios, fitness facilities.~~ Deleted: Artist studios, which have no associated gallery

~~b. Day care businesses.~~ Formatted: Indent: Left: 0.5"

~~c. Hotels or motels with or without attached restaurants.~~ Formatted: Bullets and Numbering

~~d. Laundromat, dry cleaning and laundry.~~

~~e. Pet grooming, training and veterinarians, with no outdoor kenneling~~ Deleted: <#>Photography studios and photo processing.¶

~~f. Public service facilities, public utility facilities and public uses.~~ Deleted: permitted

~~g. Restaurants. Drive-through service windows are not allowed.~~

~~h. Restaurants attached to or adjacent to hotels or motels. Drive-through service windows are not permitted.~~

- i. PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance. (Lattice towers are prohibited.)
- j. Temporary Structures.

4.12.2.3 Accessory Uses within the **SCI - SO** sub-district are limited to the following:

- a. One accessory dwelling unit, accessory to a non-residential Principal Building.
- b. Storage buildings.
- c. All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.
- d. Sales incidental to a non-retail Principal Use.
- e. Offices accessory to a non-office Principal Use.

Section 2. Section 4.12.3 of Hailey's Zoning Ordinance No. 532 is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

4.12.3 Industrial Sub-District (**SCI - I**). The purpose of the Industrial sub-district of the SCI District is to provide a location for the production, sales and storage of bulky goods and associated wholesale and retail sales, offices and parking. The sub-district is also to provide a location for light manufacturing and other light industrial types of uses. The intent of the district is to provide a location for those uses that dedicate a substantial portion of their area (more than 50%) to exterior storage and/or staging areas, and relatively little area to interior showrooms, offices, or retail space. The District is intended to include those uses that, by reason of their impact or perceived impact on neighboring uses, are not appropriate in the Central Business District. This Ordinance assumes that the following list of uses is not exhaustive and that other like uses may be permitted upon administrative review pursuant to Section 1.5.2 of this Ordinance, as amended.

4.12.3.1 Permitted uses within the **SCI - I** sub-district shall be limited to the following:

- a. Artist's studios that have no associated gallery.
- b. Motor vehicles and parts dealers, service, rental and leasing.
- c. Automotive Repair and Maintenance.
- d. Automobile towing.
- e. Truck transportation, bus, taxi and limousine services.
- f. Services to buildings (janitorial/maintenance) and property management companies.
- g. Commercial brewery, bakery, or food catering where no retail sales are conducted.
- h. Construction trade contractors, including excavation companies.
- i. Construction equipment and materials rental, storage, sales and service, excluding hardware stores.
- j. Fabrication and repair of building materials and components, including log homes.
- k. Farm supply and equestrian tack and feed stores.

- l. Fencing supplies and installation.
- m. Firewood production and storage.
- n. Industrial dry cleaning and laundry.
- o. Landscape design and installation firms, and landscape nurseries.
- p. Light Manufacturing.
- q. Parcel delivery and shipping services.
- r. Parking facilities and structures.
- s. Veterinarians, pet grooming, training, Deleted: and kennels
- t. Printing and publishing firms.
- u. Sign studios and manufacturers.
- v. Snow removal contractors.
- w. Warehouse and storage facilities, including self-storage facilities and exterior storage facilities.
- x. Wholesale trade.
- y. PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.
- z. Parks.

4.12.3.2 Conditionally Permitted uses for the **SCI - I** sub-district include the following:

- a. Convenience stores, in conjunction with Gasoline Stations that have no more than 1800 square feet of gross floor area. Drive-through service windows are not allowed.
- b. Gasoline Stations, including card-lock stations.
- c. Public utility facilities, public service facilities and public uses.
- d. Restaurants. Drive-through service windows are not allowed. Deleted: permitted
- e. PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance. (Lattice towers are prohibited) Deleted: .
- f. Temporary Structures.

4.12.3.3 Accessory Uses within the **SCI-I** sub-district are limited to the following:

- a. All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.
- b. Shipping containers utilized for storage. These containers must be shielded from view by fencing or landscaping, and shall require a building permit.
- c. Storage buildings.
- d. Sales incidental to a non-retail Principal Use.
- e. Offices accessory to a non-office Principal Use.

Section 3. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance.

Section 4. All other ordinances and parts of ordinances in conflict herewith are hereby repealed.

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

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

Attest:

Heather Dawson, City Clerk

Susan McBryant, Mayor, City of Hailey

Publish: Wood River Journal, August 29, 2007

SCI amendments #990