

HAILEY ORDINANCE NO. 1059

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE 2, DEFINITIONS ADDING DEFINITIONS RELATED TO DESIGN REVIEW STANDARDS AND CLARIFYING THE DEFINITION OF HOME OCCUPATION; 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 to the Hailey Comprehensive Plan;

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

WHEREAS, 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. Article 2, Definitions, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the following underlined language:

Compatibility. The characteristics of different designs which, despite their differences, allow them to be located near each other in harmony, such as scale, height, materials, fencing, landscaping and location of service areas.

Elevation. A drawing showing the entire height and width of an exterior wall of a building.

Enclosure (sense of). An experience in which a pedestrian feels sheltered in a semi-private realm. Buildings, trees, landscaping and street widths are all factors in creating a sense of enclosure.

Facade. The exterior wall of a building exposed to public view or that can be viewed by persons not within the building.

Fenestration. The arrangement of windows in a building.

Gable. Any triangular-shaped, upper part of a building wall, usually under a pitched roof.

Home Occupation. A business-related activity conducted entirely within a dwelling which is incidental and secondary to the use of a dwelling as a residence and does not negatively impact the surrounding neighborhood. ~~Home Occupations are defined for the purpose of this Ordinance as those activities that represent a departure from the daily routine associated with a residential use and could, therefore, impact the neighborhood.~~ Home Occupations, where permitted, shall meet the following requirements:

1. The home occupation shall not change the residential character of the dwelling or neighborhood.
2. There shall be no exterior advertising.
3. There shall be no sale or rental of stocks, supplies or products conducted on the premises.
4. There shall be no exterior storage on the premises of material or equipment associated with the home occupation.
5. There shall be no offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property lines. There shall be no operation of power tools, whether indoors or outdoors.
6. The home occupation shall not create the need for additional parking.
7. The home occupation shall employ no unrelated person who is not a permanent resident of the dwelling.
8. There shall be no significant increase in traffic in the vicinity of the dwelling as a result of the home occupation.
9. Storage of explosive, combustible or hazardous materials shall conform to the regulations and restrictions of the IFC and IBC.

Human Scale. Architectural and site design elements clearly oriented to human proportions, activity and perception.

Infill. The placement of new buildings into established urban areas, which usually results in an increase in the existing building stock.

Mass. The combination of the three dimensions of length, height, and depth which give a building its overall shape.

Mural. A painting created directly on a wall or painted directly on a panel(s), or other material and permanently or temporarily applied to a wall.

Pedestrian-oriented. An environment designed to make movement by pedestrians convenient, attractive and comfortable for various ages and abilities; considerations include separation of pedestrian and auto circulation, street furniture, clear directional and informational signage, safety, visibility, shade, lighting, surface materials, trees, sidewalk width, intersection treatment, curb cuts, ramps and landscaping.

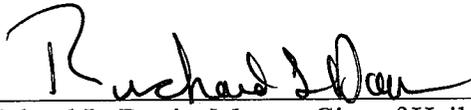
Sidewalk. A pathway for non-motorized vehicles, normally designated for pedestrians and which is usually separated from Streets by curb and/or landscaping.

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 28 DAY OF June, 2010.


Richard L. Davis, Mayor, City of Hailey

Attest:


Mary Cone, City Clerk

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