

HAILEY ORDINANCE NO. 1060

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S SUBDIVISION ORDINANCE, ORDINANCE NO. 821, BY AMENDING SECTIONS 4.2.1 AND 4.2.3 TO CLARIFY LANGUAGE RELATED TO SIDEWALKS; 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 proposed amendments are generally in accordance with the Comprehensive Plan;

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

WHEREAS, the proposed amendments will be in accordance with the 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 4.2.1 of the Hailey Subdivision Ordinance No. 821, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

4.2.1 ~~Sidewalks, curb and gutter shall be required improvements for projects requiring Subdivision approval in the B, LB, TI, A and SCI zoning districts. At a minimum, sidewalks and curb and gutter, where required, shall comply with the City Standards. Sidewalks shall be at least six feet (6') wide or as wide as adjacent sidewalks on the same block, whichever is greater. Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.~~

4.2.1.1 Sidewalks and drainage improvements shall be located and constructed according to applicable City Standards, except as otherwise provided herein.

4.2.1. The length of Sidewalks shall be and drainage improvements constructed along the entire shall be equal to the length of the subject a property line(s) adjacent to any pPublic Street or pPrivate sStreet in all zones, as well as in locations that provide safe pedestrian access to and around a commercial or mixed use building.

4.2.1.3 New sSidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.

4.2.1.4 Sites located adjacent to a pPublic Street or pPrivate sStreet that are not currently thru-streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections. The

~~requirement for sidewalk may be waived if the cost of the proposed project construction is less than twenty thousand dollars (\$20,000).~~

~~4.2.1.5 For subdivisions in the Townsite Overlay District, ~~t~~The requirement for ~~s~~Sidewalk and drainage ~~improvements may be waived~~ are not required for any ~~l~~Lot ~~l~~Line ~~a~~Adjustment associated with a residential remodel or addition; ~~sidewalks shall be required for new primary dwellings.~~~~

Section 2. Section 4.2.3 of the Hailey Subdivision Ordinance No. 821, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

4.2.3 The Developer or City ~~may, at Developer's option,~~ propose alternatives to either the standard sidewalk configuration or location required in Section 4.2.1, or the planned non-vehicular pathway required in Section 4.2.2. The Hearing Examiner or Commission and Council shall ensure that the alternative configuration or location shall not reduce the level of service or convenience to either residents of the development or the public at large.

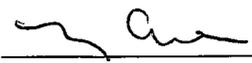
Section 3. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 4. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 5. 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 28th DAY OF June, 2010.


Rick Davis, Mayor, City of Hailey

Attest:


Mary Cone, City Clerk



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