

HAILEY ORDINANCE NO. 1063

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE 8.1, FENCES, TO ALLOW FENCES FOR PUBLIC USES AND PUBLIC UTILITY FACILITIES IN ANY ZONING DISTRICT TO BE EIGHT FEET HIGH AND TO PROHIBIT CHAIN LINK FENCE EXCEPT FOR PUBLIC USES AND PUBLIC UTILITY USES; 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 8.1.2., Specific Standards, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

8.1.2 Specific Standards. The following provisions shall apply in addition to those specified in Article 8.1.1.

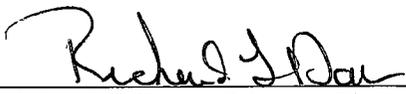
- a. Except as otherwise provided, ~~F~~for all uses in the LR, GR, LB and TN districts, fences shall not exceed four (4) feet in height when located within the required front yard setback and six (6) feet when located within the required side and rear yard setbacks.
- b. For all uses in the LI, TI, SCI-SO and B Districts, fences shall not exceed six (6) feet in height.
- c. For all uses in the SCI-I District or for Public Uses or Public Utility Facilities in all zoning districts, fences shall not exceed eight (8) feet in height.
- d. Arbors, trellises, entry arches and similar yard or landscape features may be permitted within a required yard setback provided they are not more than eight (8) feet high, five (5) feet wide and three (3) feet deep.
- e. Multiple features shall not be placed in a linear fashion for the purpose of creating a fence-like barrier.
- f. Chain link material is prohibited except for Public Uses or Public Utility Facilities with an approved Conditional Use Permit.
- g. For the purpose of applying the above height standards, the average height of the fence along any unbroken run may be used, provided the height at any point is not more than 10% greater than the maximum height.

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.

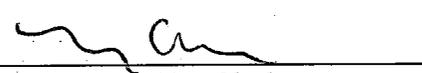
Section 3. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

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 12th DAY OF July, 2010.


Richard L. Davis, Mayor, City of Hailey

Attest:


Mary Cone, City Clerk

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