

HAILEY ORDINANCE NO. 1066

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE 7, SUPPLEMENTARY LOCATION AND BULK REQUIREMENTS, TO CLARIFY REQUIREMENTS FOR DETACHED AND ATTACHED ACCESSORY STRUCTURES AND CHICKEN COOPS; 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;

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. Section 7.1.8 of Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

7.1.8 ~~Accessory Structures with a floor area of 120 square feet or less:~~

A. Detached Accessory Structures

~~a1.~~ Except as otherwise provided herein, Detached Accessory Structures with a floor area of 120 square feet or less are required to be setback a minimum of 3 feet from either: 1) the side and/or rear property line, or 2) the Principle Building and any other Accessory Structure.

~~1-a.~~ On Normal Corner Lots, Detached Accessory Structures with a floor area of 120 square feet or less shall have a minimum side yard setback of two thirds (2/3) the front yard setback requirement for the zoning district in which the lot is located.

~~2-b.~~ Within the Business District, in the case where an alley is located along the side or rear lot line of the property, Detached Accessory Structures with a floor area of 120 square feet or less shall be setback a minimum of six (6) feet from the alley.

~~b2.~~ Detached Accessory Structures with a floor area of 120 square feet or less ~~and are located a minimum of three (3) feet from the side and/or rear property line~~ located within the side and/or rear yard setback shall have not exceed a maximum bearing wall height of eight feet and a maximum building height of 12 feet.

3. Detached Accessory Structures greater than 120 square feet are required to have a Building Permit and shall comply with the required setbacks of the Zoning District within which it is located.

B. Attached Accessory Structures

1. Attached Accessory Structures, regardless of size, are required to have a Building Permit and shall comply with the required setbacks of the Zoning District within which it is located.

Section 2. Section 7.1.10 of Hailey Zoning Ordinance No. 532, is hereby amended by the addition of the underlined language as follows:

7.1.10 Chicken Coops. Lots with Single Family Dwellings are allowed up to three (3) hens (roosters are prohibited), for Urban Agriculture purposes only, provided the following Chicken Coop requirements are met:

- a. A predator-resistant Chicken Coop is provided which shall include, but is not limited to:
 - i. A roof or cover that fully encloses the coop.
 - ii. Construction made of sturdy and durable materials that prohibit predator access.
 - iii. A door or opening to the coop that can be secured shut.
- b. Any Chicken Coop shall be located in the rear yard only and is subject to the setback requirement for the zoning district in which the lot is located.
- c. The Chicken Coop or the property must be fenced in some manner that the hens are confined to the boundaries of the property.
- d. Chicken Coops shall be detached and separated from the Principle Building, or any Accessory Structure, by a minimum of one (1) inch.

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 9 DAY OF August, 2010.


Richard L. Davis, Mayor, City of Hailey

Attest:


Mary Cone, City Clerk

Publish: Idaho Mountain Express Aug. 11th, 2010

