

HAILEY ORDINANCE NO. 1093

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 4.12.3.3 TO ADD A SUB-SECTION ALLOWING ACCESSORY DWELLING UNITS SUBJECT TO CERTAIN CRITERIA; 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. Section 4.12.3.3, of the Hailey Zoning Ordinance No. 532, is hereby amended by the addition of the underlined language as follows:

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

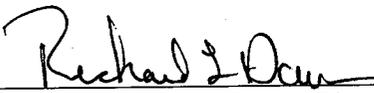
- a. All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.
- b. Shipping container utilized for storage. These containers must be shielded from view by fencing or landscaping, and shall require a building permit.
- c. Storage buildings.
- d. Sales incidental to non-retail Principal Use.
- e. Roof-mounted Solar Panels, subject to the maximum building height for the applicable district.
- f. Roof-mounted Solar Panels, subject to the maximum building height for the applicable district.
- g. Accessory Dwelling Units (ADU), provided the following criteria are met:
 - i. There shall not be more than one ADU per unit within a Principal Building.
 - ii. ADU entrances shall connect to sidewalks and/or designated pedestrian circulation areas that lead to and from the primary sidewalk system and away from work zone alleys.
 - iii. Each ADU shall have designated ground floor storage space for the occupant's use. The storage shall be secure, covered and screened.
 - iv. An ADU shall be occupied by an owner or employee of a business which occupies the Principal Building.
 - v. An ADU shall not be sold as a condominium or a separate legal parcel from the Principal Building.

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.

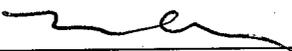
Section 3. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

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 29th DAY OF November 2011.


Richard L. Davis, Mayor, City of Hailey

Attest:


Mary Cone, City Clerk

Publish: Idaho Mountain Express 11-30, 2011

