

HAILEY ORDINANCE NO. 1107

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 4.5.3 TO AMEND THE CONDITIONAL USE OF WHOLESALE DISTRIBUTORS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, to promote economic development, the Mayor and the City Council of the City of Hailey desire amend the Hailey Zoning Ordinance to allow some retail use in the Limited Business (LB) zoning district but still encourage retail uses in downtown Hailey;

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

4.53 Conditional Uses. Conditional uses in the LB District are limited to the following:

- a. Gasoline Stations and Automotive Repair and Maintenance.
- b. Restaurants.
- c. Wholesale distributors or Wholesale distributors with incidental and subordinate retail sales.
- d. Convenience Stores.
- e. Public Service, Public Use and Public Utility Facilities.
- f. Medical and personal care stores.
- g. Finance and insurance firms.
- h. Construction contractors' offices with no exterior storage.
- i. PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of Wireless Permit in accordance with the provision of Article VIIIA of this Ordinance. (Lattice towers are prohibited.)
- j. Above ground flammable liquid tanks utilized by a public use.
- k. Temporary Structures.
- l. Freestanding Solar Panels, subject to the maximum building height for the applicable district.

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 All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 8 DAY OF August, 2012.


Fritz X. Haemmerle, Mayor

Attest:


Mary Cone, City Clerk

Published:
Idaho Mtn
Express on:
Aug. 22, 2012
MHC

