

HAILEY ORDINANCE NO. 1064

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S SUBDIVISION ORDINANCE, ORDINANCE NO. 821, BY AMENDING SECTION 4.0, TO DELETE ANY STANDARD OF EVALUATION OR CRITERIA FOR REVIEW RELATING TO THE HAILEY COMPREHENSIVE PLAN; 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 Idaho Supreme Court in *Urrutia v. Blaine County*, 134 Idaho 355 (2000), has held that a comprehensive plan is intended as a general guide involving zoning decisions such as revising or adopting a zoning ordinance and that the comprehensive plan cannot be used to deny an application based completely on non-compliance with a comprehensive plan; and

WHEREAS, the Hailey City Council intends to amend Hailey's Zoning Ordinance to be consistent with the Idaho Supreme Court's decision in *Urrutia v. Blaine County*.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 4.0 of the Hailey Subdivision Ordinance No. 821 is amended by the deletion of the stricken language, as follows:

4.0 General Standards.

The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Ordinance, the Zoning Ordinance and any other applicable Ordinance or policy of the City of Hailey.


Section 2. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 3. Repealer Clause. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

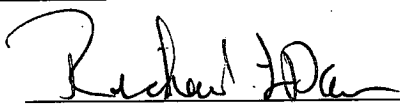
Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS 12th DAY OF July, 2010.

ATTEST:


Mary Cone, City Clerk




Richard L. Davis, Mayor
City of Hailey

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