

HAILEY ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLES 16 AND 17 OF THE HAILEY MUNICIPAL CODE, INCLUDING CHAPTERS 16.01: DEFINITIONS, TO PROVIDE CLARITY AND ADD NEW DEFINITIONS; 16.04: DEVELOPMENT STANDARDS, TO REFINE AND CLARIFY VEHICULAR ACCESS STANDARDS, AND PARK CONTRIBUTION REQUIREMENTS; 16.08: TOWNHOUSES, TO CHANGE THE TITLE AND SUBSECTIONS TO INCOPORATE COTTAGE DEVELOPMENT; 17.02: DEFINITIONS, TO PROVIDE CLARITY AND ADD NEW DEFINITIONS; 17.05: OFFICIAL ZONING MAP AND DISTRICT USE MATRIX, TO ADD AND CLARIFY LAND USE ZONING AND BULK REQUIREMENTS FOR DETACHED TOWNHOUSE AND COTTAGE DEVELOPMENTS, AND DWELLING UNITS; 17.06: DESIGN REVIEW, TO ADD DESIGN STANDARDS FOR DETACHED TOWNHOUSE AND COTTAGE DEVELOPMENTS; AND 17.09: PARKING AND LOADING SPACES, TO APPLY EXISTING STANDARDS TO DETACHED AND COTTAGE TOWNHOUSE DEVELOPMENTS; 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 Commission and Council have determined that municipal code changes which expand housing opportunities in Hailey are a priority;

WHEREAS, the Commission and Council have found that the existing standards for multi-family and townhouse development may not lead to desired comprehensive plan outcomes;

WHEREAS, the changes proposed will address supplemental design and quality of life with the intent of reinforcing the following statements and goals contained within the Comprehensive Plan:

1. Natural Resources, Energy and Air Quality
 - a. Promote energy conservation: The City has set goals to increase the energy efficiency of buildings within the city to 10% above current Idaho State adopted energy code.
2. Recreation, Parks, and Lands
 - a. Create and maintain an interconnected system of parks, recreational facilities, trails green spaces, and natural lands in order to provide diverse recreation opportunities for Hailey residents within ¼ to ½ mile of the greatest number of residents.
3. Land Use, Population, and Growth Management
 - a. The City seeks to accommodate population growth through a balanced combination of two means, with one being “infill” development or redevelopment of existing land within the current City limits in accordance with existing zoning and density allowances without necessitating the use of density bonuses or waivers, and “expansive” development due to the annexation of new land into the City and/or density increases relating to PUD bonuses and/or zoning amendments.
 - b. Land Use Implications of Population Growth Scenarios: Impacts resulting from

growth pressure, such as environmental degradation, inadequate social and infrastructure services, and loss of small-town character are concerns associated with unrestricted growth of the community; therefore, it is the responsibility of the city to plan for potential future population growth.

- c. Lessen dependency on the automobile.
- 4. Demographics, Cultural Vitality, Social Diversity, and Well-Being
 - a. Social Diversity and Social Well-Being: Sustainable communities offer equal opportunity, social harmony, and mutual respect for a diverse population. Diversity means an inclusive community of people with varied human characteristics, ideas, and worldviews and whose interactions both benefit and challenge each other to grow.
 - b. While many factors influence both the existence and perception of discrimination and unequal treatment, income is an important element, as are education, occupational status, and life expectancy.
- 5. Housing
 - a. Affordable housing is a key element in the decisions of business owners to create new enterprises or expand their businesses. If affordable housing for employees to purchase and/or rent cannot be provided, it will limit the growth potential and sustainability of local businesses. To the extent that attractive housing is available, employees can better be recruited and retained.
 - b. The ongoing local spending and taxes generated because of homes being occupied by the working community are significant.
 - c. Productivity of the workforce improves when commutes are shortened.
 - d. Long commutes are not only costly to the workers, but to the environment as well. Carbon emissions are reduced, and air quality is improved when employees live close to work. In addition, fewer commuters will alleviate the demand for more highway lanes and asphalt.
 - e. Many social benefits are realized when workers live in their own community. Quality of life and safety improve when critical care employees live within close responding distance. Children do better in school when parents are at home in the mornings and evenings. Homeowners are more active in their communities, creating a greater vibrancy and sense of unity.

WHEREAS essential public facilities and services are available to detached and cottage townhouse development without excessive public cost;

WHEREAS the proposed detached townhouse and cottage development uses are compatible with surrounding areas and Zoning Districts where townhouse and cottage developments are permitted; and

WHEREAS the text set forth in this ordinance will promote public health, safety, and general welfare by addressing ongoing and outstanding housing needs.

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

Section 1. Chapter 16.01, Definitions, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

COMMON OPEN SPACE: A shared landscaped area, or areas, meeting the requirements of Sections 16.04.110.D.1 and 17.06.080.F when incorporated within a cottage development.

DRIVEWAY: A way or means of vehicular access to a single building, or buildings, per the requirements of Section 16.04.020.M, Driveways.

PARKING ACCESS LANE: A way or means of vehicular ~~access and pedestrian approach for all uses to provide access to an off street parking lot from a public or private street into private property from and to off-street parking.~~

TOWNHOUSE DEVELOPMENT: Refer to Section 17.02, Definitions, for a detailed definition. A multi-family residential project consisting of two (2) or more townhouse dwelling units, where permitted under the Hailey zoning ordinance, which may be constructed as either or both one or both of the following:

- A. Building(s) containing two (2) or more townhouse dwelling units erected generally in a row, with each unit being separated from the adjoining unit or units by a party wall or walls, subject to building and fire code requirements, and all other applicable codes and ordinances, and with party walls extending from the basement floor to the roof along the dividing townhouse subplot line. Each unit has its own access to the outside, and no unit is located over another unit in part or in whole.
- ~~B. "Cottages", which are buildings containing single townhouse units on individual townhouse sublots, provided the separation between units and/or buildings complies with applicable building and fire code requirements and all other applicable codes and ordinances.~~

TOWNHOUSE OR COTTAGE SUBLLOT: The lot resulting from platting a residential townhouse or cottage development. Townhouse or cottages sublots shall have a minimum area equal to that of the perimeter of each individual townhouse unit, ~~and an additional area three feet (3') in width adjacent to any opening,~~ measured at the foundation. Said sublots shall not be buildable for structures other than a "townhouse or cottage dwelling unit", as defined in Title 17, Chapter 2, Definitions. Platting of sublots shall follow the procedures set forth in this title and other applicable codes in effect. All other detached and/or accessory buildings shall be contained within the perimeter of the townhouse subplot, except as otherwise permitted herein

TOWNHOUSE DWELLING UNIT: Refer to Section 17.02, Definitions, for a detailed definition. A dwelling including a minimum of one bathroom and a single kitchen, designed for or occupied as a unit by one family for living and cooking purposes, located in a townhouse development on a platted townhouse subplot.

Section 2. Chapter 16.04, Development Standards, Sections 16.04.020.L - N, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

L. Private Streets:

1. Private streets may be allowed: a) to serve a maximum of five (5) residential dwelling units; b) within planned unit developments; or c) within commercial developments in the Business, Limited Business, Neighborhood Business, Light Industrial, Technological Industry, Peri-

Urban Agricultural and Service Commercial Industrial Districts. Private streets are allowed at the sole discretion of the Council, except that no arterial or major street, or collector or secondary street may be private. Private streets shall have a minimum total width of thirty-six feet (36'), shall be constructed to all other applicable City standards including paving, and shall be maintained by an owners' association.

2. Private streets, wherever possible, shall provide interconnection with other public streets and private streets.
3. The area designated for private streets shall be platted as a separate parcel according to subsection 16.04.060C of this chapter. The plat shall clearly indicate that the parcel is unbuildable, except for public vehicular and public pedestrian access and ingress/egress, utilities or as otherwise specified on the plat.
4. Private street names shall not end with the word "road", "boulevard", "avenue", "drive" or "street". Private streets serving five (5) or fewer dwelling units shall not be named.
5. Private streets shall have adequate and unencumbered ten foot (10') wide snow storage easements on both sides of the street, or an accessible dedicated snow storage easement representing not less than twenty five percent (25%) of the improved area of the private street. Private street snow storage easements shall not be combined with, or encumber, required on site snow storage areas.
6. Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located: a) within the residential lot (e.g., between the garage and the roadway); b) as parallel spaces within the street parcel or easement adjacent to the travel lanes; c) in a designated guest parking area; or d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to title 17, chapter 17.09 of this Code. The dimension of guest/overflow parking spaces shall ~~be no less than ten feet by twenty feet (10' x 20') if angle parking, or ten feet by twenty four feet (10' x 24') if parallel.~~ meet the parking standards of section 17.09.030, On Site Parking Dimension. Guest/overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or other all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.

M. Driveways:

1. Number of units served by one (1) driveway:
 - a. Single-family dwelling units: Driveways may provide access to not more than two (2) ~~residential~~ single-family dwelling units. Where a parcel to be subdivided will have one lot fronting on a street, not more than one additional single-family lot accessed by a driveway may be created in the rear of the parcel. In such a subdivision, where feasible (e.g., no driveway already exists), both lots shall share access via a single driveway. ~~Driveways shall not be named.~~
 - b. Townhouse and cottage dwelling units: Driveways may provide access to not more than four (4) townhouses or cottage dwelling units. Where a townhouse development will have sublots fronting a street, not more than one (1) additional townhouse subplot accessed by a driveway may be created to the rear of each subplot. All driveways shall meet the applicable requirements of the fire and building codes, as adopted by the City of Hailey.

2. Driveways shall be constructed with an all-weather surface and shall have the following maximum ~~minimum~~ roadway widths:

- a. Accessing one residential unit: twenty feet (20'); ~~Twelve feet (12')~~;
- b. Accessing two (2) or more residential units: thirty feet (30'); ~~Sixteen feet (16')~~.

No portion of the required fire lane width of any driveway may be utilized for parking, aboveground utility structures, dumpsters or other service areas, snow storage or any other obstructions.

3. Driveways longer than one hundred fifty feet (150') must have a turnaround area approved by the Fire Department. Fire lane signage must be provided as approved by the Fire Department.
4. Driveways accessing more than one residential dwelling unit shall be maintained by an owners' association, or in accordance with a plat note.
5. The area designated for a driveway serving more than one dwelling unit shall be platted as a separate unbuildable parcel, or as a dedicated driveway easement. Easements and parcels shall clearly indicate the beneficiary of the easement or parcel and that the property is unbuildable except for ingress/egress, utilities or as otherwise specified on the plat. A building envelope may be required in order to provide for adequate building setback.
6. No driveway shall interfere with maintenance of existing infrastructure and shall be located to have the least adverse impact on residential dwelling units, existing or to be constructed, on the lot the easement encumbers and on adjacent lots.
7. Driveways shall not be named.

- N. Parking Access Lane: Multi-family, townhouse developments of greater than four (4) dwelling units, and cottage developments may be served by a parking access lane. A parking access lane shall not be considered a street but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.

Cottage developments: Cottage developments shall be served by no more than one (1) parking access lane on each public street frontage.

Section 3. Chapter 16.04, Development Standards, Section 16.04.110, Parks, Pathways, and other Green Spaces, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

- A. Parks And Pathways: Unless otherwise provided, every subdivision shall set aside a park and/or pathway(s) in accordance with standards set forth herein.

1. Parks:

- a. The developer of any subdivision, or any part thereof, consisting of three (3) or more residential lots, including residential townhouse sublots and residential condominium units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to or in the general vicinity of the subdivision for parks. Parks shall be developed within the city of Hailey and set aside in accordance with the following formula:

$P = x \text{ multiplied by } .0277$

"P" is the parks contribution in acres

"x" is the number of single-family lots, residential townhouse sublots or residential condominium units contained within the plat. Where multi-family lots are being platted with no fixed number of units, "x" is maximum number of residential lots, sublots and units possible within the subdivision based on current zoning regulations.

- b. In the event the subdivision is located in the business (B), limited business (LB), neighborhood business (NB) or transitional (TN) zoning districts, the area required for a park shall be reduced by seventy five percent (75%), but in no event shall the area required for a park/cultural space exceed seventeen and one-half percent (17.5%) of the area of the lot(s) being developed.
 - c. Cottage developments may be exempted from the provisions of subsection 16.04.110.A, when common open space is provided in accordance with subsection 17.06.080.D: Design Standards, Cottage Development, and the commission finds that sufficient park space, in accordance with the City of Hailey Comprehensive Plan, exists within one half (1/2) mile of the proposed development. In the event that a cottage development is required to provide a park contribution, the contribution area shall be reduced by the amount of common open space provided on site by the development.
2. Pathways: The developer of any subdivision, or any part thereof, shall provide pathways for all trails and paths identified in the master plan that are located on the property to be subdivided or on city property adjacent to the property to be subdivided, and sidewalks required by this title.
- B. Multiple Ownership: Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly:
1. By the same individual(s) or entity(ies), including, but not limited to, corporation(s), partnership(s), limited liability company(ies) or trust(s), or
 2. By different individuals or entities, including, but not limited to, corporations, partnerships, limited liability companies or trusts where: a) such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies); or b) the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies),
 3. Multiple subdivisions of the parcel that cumulatively result in three (3) or more residential lots, townhouse sublots, cottage sublots or condominium units, are subject to the provisions of this title, and shall provide the required improvements subject to the required standards at or before the platting or development of the lots, sublots or units.
- C. Parks And Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of this section. Such recommendation will be based on compliance with the master plan and provisions of this title.
- D. Minimum Requirements:
1. Private Green Space or Common Open Space: Use and maintenance of any privately owned green or common open space shall be controlled by recorded covenants or restrictions which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the council. Common open space in a cottage development shall serve only the occupants of the development in which it is located and

shall meet the requirements of Section 16.04.110.D.3: Minipark, as well as Section 17.06.080.D: Design Standards, Cottage Development.

2. Neighborhood Park: A neighborhood park shall include finished grading and ground cover, large grassy areas, trees and shrubs, sheltered picnic table(s), trash container(s), dog station(s), bike racks, park bench(es), parking as required by ordinance, and two (2) or more of the following: play structure, restrooms, an athletic field, trails, hard surface multiple use court (tennis or basketball courts), or gardens that demonstrate conservation principles. Neighborhood parks shall provide an average of fifteen (15) trees per acre, of which at least fifteen percent (15%) shall be of two-and-one-half inch (2 ½") ~~four-inch (4")~~ caliper or greater. A maximum of twenty percent (20%) of any single tree species shall not be exceeded in any landscape plan, which includes street trees. ~~may be used.~~ Landscaping and irrigation shall integrate water conservation. A neighborhood park shall be deeded to the city upon completion, unless otherwise agreed upon by the developer and city.
 3. Minipark: A minipark shall include finished grading and ground cover, trees and shrubs, picnic table(s), trash container(s), dog station(s), bike racks and park bench(es). All miniparks shall provide an average of fifteen (15) trees per acre, of which at least fifteen percent (15%) shall be of two-and-one-half inch (2 ½") caliper or greater. A maximum of twenty percent (20%) of any single tree species shall not be exceeded in any landscape plan, which includes street trees. ~~May be used.~~ Landscaping and irrigation shall integrate water conservation.
 4. Park/Cultural Space: A park/cultural space shall include benches, planters, trees, public art, water features and other elements that would create a gathering place. Connective elements, such as parkways or enhanced sidewalks, may also qualify where such elements connect two (2) or more parks or park/cultural spaces.
 5. Pathways: Pathways shall have a minimum twenty-foot (20') right of way width and shall be paved or improved as recommended by the parks and lands board. Construction of pathways shall be undertaken at the same time as other public improvements are installed within the development, unless the council otherwise allows when deemed beneficial for the project. The developer shall be entitled to receive a park dedication credit only if the developer completes and constructs a pathway identified in the master plan, or completes and constructs a pathway not identified in the master plan where the pathway connects to existing or proposed trails identified in the master plan. The city may permit easements to be granted by developers for pathways identified in the master plan, thereby allowing the developer to include the land area in the determination of setbacks and building density on the site, but in such cases, a park dedication credit will not be given. A developer is entitled to receive a credit against any area required for a park for every square foot of qualified dedicated pathway right of way.
- E. Specific Park Standards: All parks shall meet the following criteria for development, location, and size (unless unusual conditions exist that prohibit meeting 1 or more of the criteria):
1. Shall meet the minimum applicable requirements required by subsection D of this section.
 2. Shall provide safe and convenient access, including ADA standards.
 3. Shall not be gated so as to restrict access and shall not be configured in such a manner that will create a perception of intruding on private space. With the exception of private green space and common open space, if ~~If~~ a park is privately owned and maintained, the use of the park shall not be exclusive to the homeowners, residents or employees of the development.

4. Shall be configured in size, shape, topography and improvements to be functional for the intended users. To be eligible for park dedication, the land must, at a minimum, be located on slopes less than twenty five degrees (25°), and outside of drainways, floodways and wetland areas. Miniparks shall not be occupied by nonrecreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.
 5. Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.
 6. Shall require low maintenance, or provide for maintenance or maintenance endowment.
- F. Specific Pathway Standards: All pathways shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting 1 or more of the criteria):
1. Shall meet the minimum applicable requirements required by subsection D of this section.
 2. Shall be connected in a useful manner to other parks, pathways, green space and recreation and community assets.
- G. Specific Green Space and Common Open Space Standards: If green space is required or offered as part of a subdivision, townhouse, cottage, or condominium developments, all green space shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting 1 or more of the criteria):
1. Shall meet the minimum applicable requirements required by subsection D of this section.
 2. Public and private green spaces on the same property or adjacent properties shall be complementary to one another. Green space within proposed developments shall be designed to be contiguous and interconnecting with any adjacent green space (both existing and potential future space).
 3. The use of the private green space shall be restricted to parks, pathways, trails, or other recreational purposes, unless otherwise allowed by the city.
 4. The private ownership and maintenance of green space shall be adequately provided for by written agreement.
- H. In Lieu Contributions:
1. After receiving a recommendation by the parks and lands board, the council may at their discretion approve and accept voluntary cash or in-kind contributions in lieu of park land dedication and park improvements.
 2. The voluntary cash or in-kind contributions in lieu of park land shall be equivalent to the area of land (e.g., square footage) required to be dedicated under this title multiplied by the fair market value of the land (e.g., \$/square foot) in the development at the time of preliminary plat approval by the council. The city shall identify the location of the property to be appraised, using the standards in subsections E4 and E5 of this section. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant.
 3. Except as otherwise provided, the voluntary cash or in-kind contribution in lieu of park land shall also include the cost for park improvements, including all costs of acquisition, construction and all related costs. The cost for such improvements shall be based upon the estimated costs provided by a qualified contractor and/or vendor. In the business (B), limited business (LB), neighborhood business (NB) and transitional (TN) zoning districts, in lieu contributions will not include the cost for park improvements.

4. In lieu contributions must be segregated by the city and not used for any other purpose other than the acquisition of park land and/or park improvements, which may include upgrades and replacement of park improvements. Such funds should be used, whenever feasible or practicable, on improvements within walking distance of the residents of the subdivision.

Section 4. Chapter 16.08, Townhouses and Fee Simple Cottages, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

16.08.010: PLAT PROCEDURE:

The developer of ~~the townhouse~~ or fee simple cottage developments shall submit with the preliminary plat application and all other information required herein a copy of the proposed party wall agreement and the proposed document(s) creating an association of owners of the proposed ~~townhouse~~ sublots, which shall adequately provide for the control (including billing, where applicable) and maintenance of all common utilities, ~~commonly held~~ facilities, garages, parking and/or green open spaces. Prior to final plat approval, the developer shall submit to the city a final copy of ~~the any~~ party wall agreement and any other such documents and shall record the documents prior to or at the same time of the recordation of the plat, which plat shall reflect the recording instrument numbers thereupon. (Ord. 1191, 2015)

“Cottage” lots in existing subdivisions, platted prior to _____ (insert date this code goes into effect), shall be allowed to develop as cottage or as detached townhouse developments under the provisions of this code.

16.08.020: GARAGES OR STORAGE:

All garages and dedicated storage structures shall be designated on the preliminary and final plats and on all deeds as part of the ~~particular townhouse~~ or cottage development. Detached garages and/or storage structures may be platted as limited common area or on separate sublots; provided, that the ownership of detached garages and/or storage structure is appurtenant to specific townhouse or cottage units on the ~~townhouse~~ plat and that the detached garage(s) and/or storage structure(s) may not be sold and/or owned separate from any dwelling unit(s) within the ~~townhouse~~ development. (Ord. 1191, 2015, __)

16.08.030: STORAGE, PARKING AREAS:

Residential townhouse and cottage developments shall provide parking spaces according to the requirements of title 17, chapter 17.09 of this code. (Ord. 1191, 2015, __)

Cottage storage. Each cottage dwelling unit shall be provided with a dedicated storage unit that is 50 square feet in size. The storage unit may be located within or adjacent to the house, within a garage or carport, or within a free-standing accessory building.

16.08.040: CONSTRUCTION STANDARDS:

All townhouse and cottage development construction shall be in accordance with the applicable codes, including the IBC, IRC and IFC. Each townhouse and cottage unit must have separate water, sewer, and utility services, which do not pass through another building or unit. (Ord. 1191, 2015, __)

16.08.050: GENERAL APPLICABILITY:

All other provisions of this title and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse developments. (Ord. 1191, 2015)

16.08.060: EXPIRATION:

Townhouse and cottage developments which have received final plat approval shall have a period of three (3) calendar years from the date of final plat approval by the council to obtain a building permit. Developments which have not received a building permit shall be null and void and the plats associated therewith shall be vacated by the council. If a development is to be phased, construction of the second and succeeding phases shall be contingent upon completion of the preceding phase unless the requirement is waived by the council. Further, if construction on any townhouse or cottage development, or phase of any development, ceases or is not diligently pursued for a period of three (3) years without the prior consent of the council, that portion of the plat pertinent to the undeveloped portion of the development shall be vacated. (Ord. 1191, 2015,)

16.08.070: CONVERSION:

The conversion by subdivision of existing units into townhouses or cottages shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015,___)

16.08.080: DENSITY & LOT SIZE:

~~The maximum number of cottage townhouse units on any parcel shall be twelve (12), and not more than two (2) cottage townhouse developments shall be constructed adjacent to each other.~~

Maximum density shall be that allowed by Section 17.05.040, District Use Matrix, Bulk Requirements table. No more than two (2) cottage developments receiving density bonuses, per footnote 24 in the District Use Matrix, shall be located adjacent to each other.

Cottage development: The maximum lot size for a cottage development shall be one (1) acre.

Section 5. Chapter 17.02, Definitions, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

CO-LIVING DEVELOPMENT~~DWELLING FACILITY~~: A building, or portion thereof, containing ten (10) or more private living spaces, at least one (1) shared kitchen, and at least one (1) shared living space. Each private living space shall include a bedroom and private bathroom. Private living spaces within a co-living development ~~dwelling facility~~ shall be leased for residential occupancy only, and each unit shall meet the occupancy requirements of the International Building and International Fire Codes. A full-time or onsite Property Manager is required.

COMMUNITY BUILDING: A small building, intended as a gathering space, to be shared by residents of a residential development and platted as part of the development's common area.

COTTAGE DEVELOPMENT: A residential project of two (2) or more detached cottage dwelling units that are either fee simple, located on platted sublots, or are rental units, located on a shared parcel owned by a single landlord entity. Cottage developments are subject to the provisions of Title 16: Subdivision Regulations and Title 17: Zoning Regulations, which allow for increased density, limit lot and dwelling unit sizes, describe parking standards, require common open space, and outline other, additional requirements. Separation between units and/or buildings shall comply with applicable building and fire code requirements and all other applicable codes and ordinances.

COTTAGE DWELLING UNIT: A detached dwelling unit characterized by its small size, vernacular aesthetic with porches, and intended purpose of promoting a sense of community within the development. Cottage dwelling units shall include independent living facilities, including provisions for sleeping, eating, cooking and sanitation. Cottage dwelling units shall be located in a cottage development and are subject to the applicable cottage requirements within Title 16: Subdivision Regulations and Title 17: Zoning Regulations.

MIXED USE BUILDING: A building that has more than one use, usually residential units in combination with commercial/retail, office, institutional, or industrial use within the same structure.

MIXED USE DEVELOPMENT: A development project with one (1) or more buildings that allows for various combined uses, such as commercial/retail, office, institutional, industrial, or residential uses within the same structure or structures.

MULTIPLE-FAMILY BUILDING DWELLING: A residential building containing two (2) or more attached dwellings units-, including but not limited to apartments, condominiums, and attached townhouses.

MULTI-FAMILY DEVELOPMENT: A development containing a multi-family building or buildings with attached dwellings units, including but not limited to apartments, condominiums, and attached townhouses.

PUBLIC USE: A structure or use intended or used for a public purpose by a ~~n~~ activity intended for the benefit of the general public and managed by a public entity, such as the City, school district, County, State, or any other public agency or a utility. Public uses may also be referred to as institutional uses.

SEMIPUBLIC USE: A structure or use partially, but not entirely, open to the use of the public, ~~The use of land by a private or nonprofit organization to provide a public service,~~ such as private colleges and schools, hospitals, churches, libraries, lodges, safe houses, and learning centers. Semipublic uses may also be referred to as institutional uses.

SINGLE-FAMILY DWELLING UNIT: A detached residential building, ~~which may include attached or detached carports and garages,~~ that contains ing independent living facilities, including provisions for sleeping, eating, cooking and sanitation ~~for not more than one family;~~ and is the principal use located on a legally platted lot of record. Single-family dwelling units

may, for example, include attached and detached garages, carports, Accessory Dwelling Units, and Tiny Homes on Wheels.

STORAGE STRUCTURE: A building where goods, products, materials, supplies, or equipment are kept or stored. A storage structure may be in the form of a shipping container or other structure. No sales or service is included.

~~TOWNHOUSE DEVELOPMENT: A multi-family residential project consisting of two (2) or more townhouse dwelling units, where permitted under the Hailey zoning ordinance, which may be constructed as either or both one or both of the following:~~

- ~~A. Attached townhouse development: Multi-family bBuilding(s) containing two (2) or more townhouse dwelling units erected generally in a row, with each unit being separated from the adjoining unit or units by a party wall or walls, subject to building and fire code requirements, and all other applicable codes and ordinances, and with party walls extending from the basement floor to the roof along the dividing townhouse subplot line. Each unit has its own access to the outside, and no unit is located over another unit in part or in whole.~~
- ~~B. "Cottages", which are buildings containing single townhouse units on individual townhouse sublots, provided the separation between units and/or buildings complies with applicable building and fire code requirements and all other applicable codes and ordinances.~~
- B. Detached townhouse development: Buildings containing detached, single townhouse units on individual townhouse sublots, provided the separation between units and/or buildings complies with applicable building and fire code requirements and all other applicable codes and ordinances.

~~TOWNHOUSE OR COTTAGE SUBLLOT: Refer to Section 16.01, Definitions, for a detailed definition. The lot resulting from platting a residential townhouse development. Townhouse sublots shall have a minimum area equal to that of the perimeter of each individual townhouse unit, and an additional area three feet (3') in width adjacent to any opening, measured at the foundation. Said sublots shall not be buildable for structures other than a "townhouse dwelling unit", as defined in this section. Platting of sublots shall follow the procedures set forth in this title and other applicable codes in effect. All other detached and/or accessory buildings shall be contained within the perimeter of the townhouse subplot, except as otherwise permitted herein.~~

~~TOWNHOUSE DWELLING UNIT: A dwelling unit including a minimum of one bathroom and a single kitchen, designed for or occupied as a unit by one family for living and cooking purposes, that contains independent living facilities, including provisions for sleeping, eating, cooking, and sanitation; and is located in a townhouse development on a platted townhouse subplot.~~

Section 6. Chapter 17.05, Official Zoning Map and District Use Matrix, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

17.05.040: DISTRICT USE MATRIX:

The residential, public, and semi-public, commercial and uses, as well as the bulk requirements for the zoning districts established in chapter 17.04 of this title are designated in the district use

matrix set forth herein. A "P" indicates that a use is permitted in the respective zoning district. Permitted uses must conform to the applicable requirements of this title. A "C" indicates that a use is allowed as a conditional use in the respective zoning district. Conditional uses are subject to review and approval under the provisions of chapter 17.11 of this title. An "N" indicates that a use is not allowed in the respective zoning district, except where state or federal law otherwise preempts local land use regulation.

Category	Description (Excerpt)	Zoning Districts and Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Residential:														
	Accessory dwelling units (ADU)	N	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	N	N	N	P ¹	P ¹
	Co-living developments dwelling facilities	N	N	N	N	N	P	N	P	N	N	N	N	N
	<u>Cottage developments or dwelling units</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
	<u>Detached townhouse developments or dwelling units</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
	Manufactured homes	N	P	P	P	N	P	P	N	N	N	N	N	N
	Mixed-use developments buildings	N	N	N	N	P	P	P	P ²	P	P	N	P	P

Category	Description (Excerpt)	Zoning Districts and Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	Multi-family dwelling <u>developments</u>	N	N	N	P	N	P	C	P ²	N	N	N	N	N
	Single-family dwelling <u>units</u>	N	P	P	P	N	P <u>N</u>	P	N	N	N	N	N	N
	Tiny homes on wheels (THOW)	N	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	N	N	N	P ¹	P ¹
Public or semipublic: <i>(no change)</i>														
Commercial: <i>(no change)</i>														
Accessory uses:														
Residential	Accessory dwelling units (ADU)	Reference the “Residential” category at the beginning of the table.												
	Tiny Home on Wheels (THOW)													
	<u>Community building</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>C</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Storage structures <u>and/or Accessory structures</u>		C ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}	P ^{9,11}

Category	Description (Excerpt)	Zoning Districts and Subdistricts												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
excluding shipping containers														
Swimming pools		N	P	P	P	P	C	P	C	N	N	N	N	N
Temporary structures		C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}	C ^{11,13}

BULK REQUIREMENTS

Category	Description (Excerpt)	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
Lot dimensions	Minimum lot size (square feet)	None	8,000 ^{14, 15, 16}	12,000 ^{15, 16}	6,000 ^{14, 15}	6,000 ¹⁵	6,000 ^{14, 15}	6,000 ^{14, 15}	0 ^{14, 15}	6,000	-	See note 4	10,890	10,890
	Minimum lot width (feet)	None	75 ^{14, 15, 16}	75 ^{15, 16}	50 ^{14, 15, 16}	50 ¹⁶	50 ^{14, 16}	50 ^{14, 15, 16}	0 ^{15, 16}	60	-	See note 4	-	-
Building height	Maximum building height (feet)	35 ¹⁷	30 ^{14, 17}	30 ¹⁷	35 ^{14, 17}	30 ¹⁷	35 ^{14, 17}	35 ¹⁴	35 ^{14, 17}	35 ¹⁷	35	See note 4	35	35 ¹⁷
Setbacks	Minimum front yard setback (feet)	20	25 ¹⁴	25	20 ^{14, 18}	10	20 ^{14, 18}	20 ^{14, 18}	0 ^{14, 18}	10	20	See note 4	10	10
	Minimum side yard setback (feet)	10	10 ^{14, 18, 19, 20}	10 ^{18, 19}	8 ^{14, 18, 19, 20, 20}	10 ^{14, 20, 19}	10 ^{14, 18, 20, 19}	10 ^{14, 18, 20, 19}	0 ^{14, 18, 20, 19}	10 ^{20, 22, 19, 21}	10 ^{20, 22, 19, 21}	See note 4	10	10
	Minimum rear yard setback (feet)	10	10 ^{14, 18, 19, 20}	10 ^{18, 19, 20}	10 ^{14, 18, 20, 19}	10 ^{18, 20, 19}	10 ^{14, 18, 20, 19}	10 ^{14, 18, 20, 19}	0 ^{14, 18, 20, 19}	10 ^{20, 22, 19, 21}	10 ^{20, 22, 19, 21}	See note 4	10	10
	Riparian (feet)	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 22}	100 ^{23, 23, 22}	100 ^{23, 22}	See note 4	100 ^{23, 22}	100 ^{23, 22}
Multi-family and mixed-use Density	Mixed-use residential density developments: maximum <u>dwelling</u> units per acre	-	-	-	-	15	20	10	20 ²	-	-	See note 4	20	-
	Multi-family residential density developments: maximum <u>dwelling</u> units per acre; <u>including but not limited to apartments,</u>	-	-	-	10	-	20	10	20	-	-	-	20	-

Category	Description (Excerpt)	RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	<u>condominiums, and attached townhouses</u>													
	<u>Detached townhouse developments: maximum dwelling units per acre</u>	-	8?	6?	10 ^{24, 23}	-	20	10 ^{24, 23}	-	-	-	-	-	-
	<u>Cottage developments: maximum dwelling units per acre</u>	-	8?	6?	10 ^{24, 23}	-	20	10 ^{24, 23}	-	-	-	-	-	-
Total lot coverage	Total maximum coverage by all structures (percentage)	-	40 ¹⁴	40	40 ¹⁴	-	-	30 ¹⁴	-	75	75	See note 4	70	70
Maximum gross floor area	Aggregate gross floor area for individual retail/wholesale trade (square feet)	-	-	-	-	-	36,000	-	36,000	25,000	25,000	See note 4	25,000	25,000
	Aggregate gross floor area for grouped retail/wholesale (square feet)	-	-	-	-	-	36,000	-	50,000	25,000	25,000	See note 4	25,000	25,000
	<u>Cottage dwelling units (square feet)</u>	-	=	=	1,400 ^{24,25, 26}	-	1,400 ^{24,25, 26}	1,400 ^{24,25, 26}	-	-	-	-	-	-

Notes:

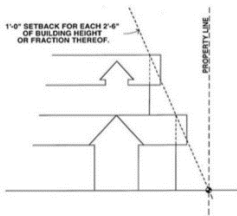
1. Accessory Dwelling Units (ADUs) and Tiny Homes on Wheels (THOW) are subject to administrative design review and supplementary regulations. See section 17.06 and subsection 17.08 D of this title.
2. Mixed-use buildings and multi-family dwellings incorporating small residential units require a Conditional Use Permit and shall comply with subsection 17.04Q of this title.
3. The installation of wireless communication facilities requires a Wireless Permit in accordance with the provisions of subsection 17.08B of this title.
4. Objects affecting navigable airspace, including solar energy systems and wireless communications facilities located within the Airport Influence Area, are subject to review of the Friedman Memorial Airport Director for compliance with FAA regulations and 14 CFR, chapter 1, subchapter E, part 77.
5. Only within terminals.
6. Only attached to hotel/motel.
7. Drive-through food service not permitted.
8. May be approved through a Conditional Use Permit if the use is in conjunction with a use that is permitted by-right.
9. Unenclosed exterior storage that is greater than fifty square feet (50 sq. ft.) and associated with retail trade, skilled construction and industrial trades, or wholesale trade is permitted in the industrial Zoning Districts only. Such unenclosed exterior storage may include but is not limited to the storage or display of bulky goods, materials, supplies, merchandise, and equipment.
10. The use permitted by this footnote must be accessory to primary use and contained within the walls of the structure with the primary use.
11. Structures equal to or greater than 120 square feet (120 sq. ft.) in size require a building permit, per subsection 17.07.010H of this title.
12. The use of fuel tanks containing flammable or combustible liquids, as defined by the International Fire Code (IFC), requires a Flammable & Combustible Storage Tank Permit through the Hailey Fire Department.
13. Temporary structures which have an approved Conditional Use Permit may operate seasonally for multiple years, so long as the size and location of the temporary structure conforms with the approved Conditional Use Permit or conditions thereof.
14. May be subject to additional provisions per the Townsite Overlay (TO) Zoning District. See subsection 17.04M of this title.
15. ~~Townhouse sublots should have a maximum aggregate density of ten (10) lots per acre in the GR and TN Zoning Districts, fifteen (15) lots per acre in the NB Zoning District, and twenty (20) lots per acre in the LB and B Zoning Districts.~~ Townhouse and cottage sublots are exempt from minimum lot sizes and widths; however, townhouse and cottage developments shall adhere to the density requirements, as stated in the bulk requirements table of this section, as well as the subdivision and zoning requirements in Titles 16 and 17 respectively.

16. Townhouse and cottage sublots shall conform to the standards established in the IFC.
17. For a building with any portion of the building footprint within the Special Flood Hazard Area, building height shall be measured two (2) feet above the base flood elevation (BFE). For buildings located within the Special Flood Hazard Area and the LR Zoning Districts, buildings shall in no instance exceed a building height of thirty-two feet (32') from record grade. For buildings located within the Special Flood Hazard Area, and within the GR Zoning District, buildings shall in no case exceed a building height of thirty-five feet (35') from record grade.
18. The setback from the adjacent property shall be one (1) foot for every two (2) feet of building height for all portions of the building exceeding twenty (20) feet in height, provided, however, no side or rear yard shall be less than ten (10) feet. See the figure in subsection 17.04B.050 of this title.
19. Normal corner and reverse-corner lots are subject to subsections 17.07.010F and G of this title.
20. Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (2 1/2') of wall height (see subsection 17.04M.090, Diagram 1, of the Hailey Municipal Code), but not less than the base setback for the GR Zoning District. This shall apply to walls on the side yards of properties but shall not apply to sublots within a development.
21. In LI and TI Zoning Districts, the side and rear yard setbacks shall be twenty-five (25) feet where the subject property is located adjacent to the following Zoning Districts: RGB, GR, or TN.
22. Riparian setback. Unless otherwise provided for herein, all permanent buildings and structures shall have a 100-foot-wide riparian setback from the mean high-water mark of the Big Wood River. Removal of live vegetation or excavation within the riparian setback is prohibited, except for any tree that has been recommended for removal by a certified arborist, in writing, because the tree has been found to potentially endanger the resident(s) of the property on which it is located or any member of the public, or has become hazardous to any street, alley or other public right-of-way or public utility, or because the removal of a tree would substantially improve the health of other trees on the property. Pruning of trees and planting of riparian trees, shrubs and ground cover within the riparian setback are allowed, provided however, that all plantings conform to the criteria for evaluation in subsection 17.04J.040B4e of this title. Where the application of the 100-foot riparian setback and other applicable setbacks will result in a building site of 1,000 square feet or less, the riparian setback may be reduced to such an extent that the building site is 1,000 square feet; provided however, the riparian setback shall not be less than fifty (50) feet.
23. Cottage development density may exceed the maximum allowed density by forty percent (40%), provided that all dwelling units in the development comply with the following:
 - a. All dwelling units in the cottage development shall comply with the minimum requirements of the 2018 International Energy Conservation Code, Section R406, Energy Rating Index Compliance Alternative. Building envelope tightness shall be determined with a blower door test, by a certified professional, verifying compliance with this standard.

- b. Minimum one (1) dwelling unit in each cottage development shall be constructed as a Type B unit in accordance with the standards of ANSI 117.1, Chapter 10, 1004 Type B Units.
 - c. Minimum one (1) dwelling unit in each cottage development shall be a deed restricted community housing unit, for sale or rent, in perpetuity. The deed restricted unit shall comply with income, occupancy, and/or other affordable community housing criteria as established in a community housing plan approved by the City of Hailey. As an alternative, two (2) Locals Only units, as outlined by the City of Hailey, may be provided. Additional alternative community housing compliance options may be proposed by the developer and may be approved by the City based on housing need in the community at the time of application.
 - d. The deed restricted community housing unit(s) shall be identical to at least one (1) other market-rate unit within the cottage development.
24. While the maximum allowed gross floor area per individual cottage dwelling unit is fourteen hundred (1,400) square feet, the average gross floor area per dwelling unit in a cottage development shall not exceed twelve hundred (1,200) square feet.

Cottage dwelling units are subject to a maximum ground floor size of one thousand (1,000) gross square feet, including an attached garage, but not including porches, dedicated storage or basement. Basement area shall be limited to the size of the ground floor footprint and located with the basement finish floor a minimum six (6) feet below adjacent grade.

~~Diagram 1~~



(Ord. 1275, 2021; Ord. 1250, 2019; Ord. 1243, 2019; Ord. 1242, 2018; Ord. 1232, 2018; Ord. 1221, 2017; Ord. 1220, 2017; Ord. 1211, 2017; Ord. 1208, 2016; Ord. 1207, 2016; Ord. 1191, 2015; Ord. 1291, 2021; Ord. 1325, 2023, __)

Section 7. Chapter 17.06, Design Review, Subsection 17.06.010, Applicability, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

17.06.010: APPLICABILITY:

- A. Design Review Approval Or Exemption: No person shall build, develop or substantially remodel or alter the exterior of the following buildings without receiving design review approval or exemption pursuant to this chapter, as outlined in the matrix below:

TABLE 1
PROJECT TYPES

Type Of Use	Exempt (PZ Chair And Administrator)	Hearings Examiner	Full PZ Review
New construction:			
All zones: Nonresidential buildings			X
All zones: Residential <u>development</u> of 3 or more units			X
All zones: Accessory Dwelling Units and Tiny Homes on Wheels	X		
Townsite Overlay District: New single-family or duplex			X
Townsite Overlay District: Accessory structures <u>that adds floor area equal to or greater than 50 percent of the original structure</u> (excluding Accessory Dwelling Units and Tiny Homes on Wheels)			X
Additions:			
Commercial: Additions under 500 square feet which are not prominently visible from a public street	X		
Townsite Overlay District: Single-family, duplex, or accessory structures that add floor area equal to or greater than 50 percent of the original structure			X
Townsite Overlay District: Additions that adds floor area less than 50 percent of the original structure and complies with section <u>17.06.020</u> of this chapter	X		
Modifications that do not add square footage:			
Minor facade changes, alterations to parking and other site elements	X		

Commercial: Major deck additions; changes to architectural elements which alter the overall style of the building; addition of window(s) or door(s) or changes to existing windows or doors that result in major stylistic changes; changes to architectural elements which alter the overall style of the building			X
Commercial: Minor deck additions; changes to siding and/or materials; changes to window(s) or door(s) that do not result in major stylistic changes; landscape and/or parking changes that do not materially alter the flow of circulation	X		
Murals and public art	X		
Temporary structures	X		
Projects which qualify under subsection <u>17.06.020B</u> of this chapter	X		

B. Preapplication Design Review:

1. Preapplication review is an optional process for all new nonresidential construction and all residential developments. The Administrator may advise applicants as to the appropriateness of the preapplication design review process for each application.
2. The purpose of preapplication review is to allow the commission to exchange ideas and give direction to the applicant on the "design concept", keeping in mind the purpose of this chapter and the application of the evaluation standards.
3. Preapplication review materials shall be submitted according to the application requirements of section 17.06.050 of this chapter. (Ord. 1275, 2021; Ord. 1226, 2017; Ord. 1191, 2015,___)

Section 8. Section 17.06.080, Design Standards, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

17.06.080: DESIGN STANDARDS:

- A. Nonresidential, Multi-Family Or Mixed Use ~~Building Development~~: The following design standards apply to ~~any~~ all nonresidential, multi-family or mixed use ~~building development~~ located within the city of Hailey:

1. Site Planning:
 - a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible, sun exposure in exterior spaces to create spaces around buildings that are usable by the occupants and allow for safe access to buildings.
 - b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than six inch (6") caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without

authorization, shall be replaced with a species of tree found in the tree guide and shall be a minimum of four inch (4") caliper.

- c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.
 - d. Building services, including loading areas, trash storage/pick up areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.
 - e. Where alleys exist, or are planned, they shall be utilized for building services.
 - f. Vending machines located on the exterior of a building shall not be visible from any street.
 - g. Except as otherwise provided herein, on site parking areas shall be located at the rear of the building and buffered from the sidewalk adjacent to the street. Parking and access shall not be obstructed by snow accumulation.
 - 1. Parking areas located within the SCI zoning district may be located at the side or rear of the building.
 - 2. Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts, provided a usable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.
 - h. Access to on site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area, and preserve the street frontage for pedestrian traffic. Where possible, driveways for townhouse and/or cottage developments shall be shared between adjacent properties per Section 16.04.020.M, Driveways.
 - i. Snow storage areas shall be provided on site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.
 - j. Snow storage areas shall not be less than twenty five percent (25%) of the improved parking and vehicle and pedestrian circulation areas.
 - k. A designated snow storage area shall not have any dimension less than ten feet (10').
 - l. Hauling of snow from downtown areas is permissible where other options are not practical.
 - m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pick up areas, service areas or utilities.
 - n. Snow storage areas shall be landscaped with vegetation that is salt tolerant and resilient to heavy snow.
2. Building Design:
- a. The proportion, size, shape, and rooflines of new buildings shall be compatible with surrounding buildings.

- b. Standardized corporate building designs are prohibited.
- c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.
- d. The front facade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building offsets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.
- e. Any addition to or renovation of an existing building shall be designed to create a cohesive whole.
- f. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.
- g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.
- h. Flat roofed buildings over two (2) stories in height shall incorporate roof elements such as parapets, upper decks, balconies, or other design elements.
- i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:
 - (1) Solar Orientation: If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within thirty degrees (30°) of true south.
 - (2) South Facing Windows With Eave Coverage: At least forty percent (40%) of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.
 - (3) Double Glazed: Double glazed windows.
 - (4) Low Emissivity Glazing: Windows with low emissivity glazing.
 - (5) Exterior Walls: Earth berming against exterior walls.
 - (6) Alternative Energy: Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on site.
 - (7) Exterior Light Shelves: All windows on the southernmost facing side of the building shall have external light shelves installed.
- j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.
- k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.

- l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of three to twelve (3:12) and be consistent with the colors, material and architectural design used on the principal building(s).
 - m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with section 17.08A.020 of this title.
3. Accessory Structures, Fences And Equipment/Utilities:
 - a. Accessory structures shall be designed to be compatible with the principal building(s).
 - b. Except as otherwise provided herein, accessory structures shall be located at the rear of the property.
 - (1) Accessory structures may be considered in a location other than the rear on sites determined to have characteristics that prevent location at the rear of the site.
 - c. Walls and fences shall be constructed of materials compatible with other materials used on the site.
 - d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.
 - e. Except as otherwise provided herein, all roof projections, including roof mounted mechanical equipment, such as heating and air conditioning units, shall be shielded and screened from view from the ground level of on site parking areas, adjacent public streets and adjacent properties. Wind energy systems that have received a conditional use permit and solar panels are exempt from this requirement.
 - f. The hardware associated with alternative energy sources shall be incorporated into the building's design and not detract from the building and its surroundings.
 - g. All ground mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas, shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.
 - h. All service lines into the subject property shall be installed underground.
 - i. Additional appurtenances shall not be located on existing utility poles.
4. Landscaping:
 - a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey landscaping manual or an approved alternative.
 - b. All plant species shall be hardy to the zone 4 environment.
 - c. At a minimum, a temporary irrigation system that fully operates for at least two (2) complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.
 - d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees, shrubs, vines, ground covers, and ornamental grasses shall be used. Newly landscaped areas shall include trees with a caliper of no less than two and one-half inches (2 ½"). A maximum of twenty percent (20%) of any single tree species shall not be exceeded in any landscape plan, which includes street trees. New

planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I Zoning Districts are excluded from this standard.

- e. Seasonal plantings in planter boxes, pots and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.
 - f. Plantings for pedestrian areas within the B, LB, TN and SCI-SO zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots and/or hanging baskets.
 - g. Stormwater runoff should be retained on the site wherever possible and used to irrigate plant materials.
 - h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well-maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).
 - i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.
 - j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.
 - k. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet (4') or terraced with a three foot (3') horizontal separation of walls.
 - l. Landscaping should be provided within or in front of extensive retaining walls.
 - m. Retaining walls over twenty four inches (24") high may require railings or planting buffers for safety.
 - n. Low retaining walls may be used for seating if capped with a surface of at least twelve (12) to sixteen inches (16") wide.
- B. NONRESIDENTIAL AND MIXED USE BUILDINGS LOCATED WITHIN B, LB OR TN DISTRICTS *(no change)*
- C. NONRESIDENTIAL AND MIXED USE BUILDING LOCATED WITHIN LI, SCI, TI OR A DISTRICTS *(no change)*
- D. Multi-Family Development: In addition to the standards applicable to any nonresidential, multi-family or mixed use ~~building developments~~ located within the city of Hailey described in subsection A of this section, the following design standards also apply to ~~any~~ multi-family ~~building developments~~ located within the City of Hailey:
- 1. Site Planning:
 - a. The location of buildings shall respond to the specific site conditions, such as topography, street corners, open space and existing and planned adjacent uses.
 - b. Site plans shall include a convenient, attractive and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.

- c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering places.
2. Building Design:
- a. Buildings shall incorporate massing, group lines and character that responds to single-family homes. Buildings may also include the use of varying materials, textures, and colors to break up the bulk and mass of large multi-family buildings. Front doors should be individual and visible from the street. Windows should be residential in scale and thoughtfully placed to provide for privacy and solar gain.
 - b. At ground level, buildings shall present a setting that is visually pleasing to the pedestrian and that encourages human activity and interaction. (Ord. 1311, 2022; Ord. 1191, 2015₁)
- E. Detached Townhouse Development: In addition to the standards applicable to all nonresidential, multi-family or mixed-use developments located within the City of Hailey described in subsection A of this section, the following design standards also apply to detached townhouse developments located within the City of Hailey:
- Driveway Access: Garages shall be located near the rear of the primary residence and in no case shall be located less than ten (10) feet behind the front façade of the residence.
- F. Cottage Development: In addition to the standards applicable to all nonresidential, multi-family or mixed-use developments located within the City of Hailey described in subsection A of this section, the following design standards also apply to cottage developments located within the City of Hailey:
- 1. Common Open Space.
 - a. Common open space of at least four hundred (400) square feet per cottage dwelling unit, with a maximum requirement of three thousand (3,000) square feet per cottage development, shall be provided.
 - b. Minimum dimensions of the common open space shall be twenty (20) feet.
 - c. All cottage dwelling units shall abut common open space on at least two (2) sides.
 - d. Cottage dwelling units shall be oriented around the common open space. The front entry porch of each cottage shall be oriented toward the common open space unless the cottage dwelling unit is located on a public street. If a cottage dwelling unit is located on a public street, its front entry porch shall be visible from the street, and the cottage shall have at least one (1) entry porch, front or secondary, visible from the common open space.
 - e. Cottages shall be located no more than sixty (60) feet from the edge of the common open space.
 - f. The common open space shall consist of a paved plaza, landscaped greenspace, community garden, or other approved alternative with access for all dwelling units in the cottage development per the requirements of Section 16.04.A.1.c.
 - g. The common area shall serve the occupants of the cottage development in which it is located and shall be maintained by the cottage development homeowner's association, or landlord, if the cottage development is a rental endeavor.

2. Porches. Each cottage dwelling units' main entry shall feature an entry porch with useable space by the occupant(s). The front entry porch of the cottage dwelling unit shall be oriented toward the common open space unless the cottage is located on a public street. If a cottage is located on a public street, its front entry porch shall be visible from the street, and the cottage shall have at least one (1) entry porch, front or secondary, visible from the common open space.
3. Parking and Driveway Location and Design.
 - a. Required off street parking is encouraged to be detached from the cottage dwelling units and located in a clustered format. Maximum one (1) attached private, single car garage per dwelling unit is also acceptable, provided the garage meets all other standards specified in this section.
 - b. Parking shall be located in the same development as the cottage units.
 - c. Clustered parking areas shall be located to the side or rear of the cottage development. Parking is prohibited between the cottage units and any public streets, between the cottage units and the common open space, and within any required setbacks.
 - d. Attached private garages shall accommodate only one (1) car and shall have a maximum gross floor area of three hundred (300) square feet. Attached garages are prohibited between the cottage units and any public streets, between the cottage units and the common open space, and within any required setbacks. If the dwelling unit is located on a public street, its private garage shall be located a minimum of ten (10) feet behind the street façade of the residence.
 - e. Clustered parking shall include landscaping in the form of trees and shrubs, around and within the parking area(s).
 - f. Parking areas shall be accessed via a parking access lane complying with all regulations set forth in the IFC and other applicable codes and ordinances.
 - g. Each cottage development of up to 14 dwelling units shall be served by a parking access lane and/or private driveway(s). No more than one (1) ~~driveway~~ parking access lane ~~curb cut~~ per cottage development shall be permitted, except where the development fronts onto more than one (1) public street. When a cottage development fronts onto more than one (1) public street, no more than one (1) ~~driveway~~ parking access lane ~~curb cut~~ is permitted per public street.
 - h. Parking and vehicular areas shall be screened from public view and from adjacent residential units by landscaping, landscaping features, or architectural screens.
 - i. Each cottage development parking area shall provide accessible parking in compliance with the provisions of the IBC, Chapter 11, Accessibility.
4. Accessibility.
 - a. All common areas in a cottage development shall meet the provisions of Chapter 11 of the IBC.
 - b. Each cottage development parking shall provide accessible parking in compliance with the provisions of the IBC, Chapter 11, Accessibility.

5. Storage. Each cottage unit shall be provided with a dedicated detached storage unit that is 50 square feet in size. The storage unit may be located within or adjacent to the house, within a garage or carport or within a free-standing accessory building.
6. Community Building. One (1) accessory community building shall be allowed as an accessory use as part of the cottage development's common area. Community building size shall be limited to 800 gross square feet in size, and a single story.

Section 9. Section 17.09.020.01, Location of On Site Parking Spaces, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

17.09.020.01: LOCATION OF ON SITE PARKING SPACES:

The following regulations shall govern the location of on site parking spaces and areas, except as otherwise provided below and in section 17.09.040.08 of this chapter:

- A. Single-Family Dwellings, Townhouse and Cottage Developments: Parking spaces for all single-family dwellings shall be located on the same ~~lot~~ property as the dwelling which they serve, except as otherwise provided in ~~section 17.09.040.01 of this chapter~~ in this Title.
- B. Multi-Family, Institutional Uses: Parking spaces for multi-family or institutional uses shall be located not more than three hundred feet (300') from the principal use and shall meet the requirements in this Title.
- C. Commercial, Industrial Uses: Parking spaces for commercial or industrial uses shall be located not more than eight hundred feet (800') from the principal use and must be located within a B, LB, SCI, or LI district.
- D. Rear Location; Exception: New on site parking areas shall be located at the rear of the building, except ~~within the SCI zoning district where parking is allowed at the side of the building~~ as allowed otherwise by this code.

Prohibited Location; Exception: On site parking areas are not permitted between the sidewalk within the public right of way and the primary frontage of a building, except where the location of an existing buildings or site conditions precludes another location for parking; such parking requires a landscape buffer, or an alternative approved by the administrator, between sidewalk and parking. (Ord. 1191, 2015,)

Section 10. Section 17.09.020.08, Access, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

17.09.020.08: ACCESS:

- A. Design: Except as otherwise provided herein, any parking area on private property shall be designed in such a manner that any vehicle leaving or entering the parking area from or onto a public street shall be traveling in a forward motion.
- B. Through Alleys: Where alleys exist, access to on site parking for any nonresidential use or for any multi-family ~~dwellings~~ dwellings development of three (3) or more units shall be from the alley. Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.
- C. Alley Not Present: If the site is not serviced by an alley, access shall be from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area, and preserve the street frontage for pedestrian traffic.

- D. Visibility: Access for on site parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.
- E. Subdivisions: Access for subdivisions shall be provided in accordance with standards set forth in title 16, chapter 16.04 of this code.
- F. Backing Design Permitted: Parking areas containing no more than two (2) parking spaces in any zoning district or parking areas within the LR, GR, TN, TI and LI districts may be designed to allow a vehicle to back from the parking area into the public right of way.

Stacking: Parking areas for residential uses only may be designed to allow required parking spaces for one vehicle to deny access to another vehicle, thus "stacking" the parking area. For nonresidential uses, stacked parking may be allowed only for additional spaces that may be provided in excess of the required number of parking spaces. (Ord. 1191, 2015,___)

Section 11. Section 17.09.040, On Site Parking Space Requirements, Subsections 17.09.040.01, Residential and 17.09.040.07, Bicycle Parking, of the Hailey Municipal Code is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

17.09.040.01: RESIDENTIAL PARKING REQUIREMENTS:

<u>Parking for all dwellings less units smaller than 1,000 square feet</u>	Minimum of 1 space per unit. A site developed with both a primary dwelling less than 1,000 square feet in size and an Accessory Dwelling Unit, <u>or Tiny Home on Wheels</u> , shall provide a minimum of 2 <u>onsite</u> spaces. Parking for Accessory Dwelling Units must be provided on site. Existing parking in excess of the required parking for a single-family unit shall count towards the total required parking.
<u>Parking for all dwelling units larger than 1,000 square feet in multi-family, mixed-use, townhouse, and cottage developments</u> Multiple family dwellings and dwelling units with a mixed use building	Minimum of <u>an average of 1.5 spaces per dwelling unit.</u>
Single-family dwelling <u>units</u>	2 spaces per dwelling <u>unit</u> minimum, 6 spaces per dwelling <u>unit</u> maximum. Parking spaces within any garage, carport or similar structure shall be credited at 1 space per 9 feet of floor width and 18 feet of floor length. The City will <u>allows for the use</u> <u>utilization of</u> 100-foot-wide <u>rights-of-way</u> within <u>Hailey's</u> original townsite for licensed passenger vehicle parking for single-family dwellings <u>units</u> . Parking for accessory dwelling units <u>and tiny homes on wheels</u> <u>must be provided on site.</u>

17.09.040.07: BICYCLE PARKING:

All multi-family ~~residential, and commercial,~~ or mixed-use development, including new construction and additions, shall provide at least three (3) bicycle parking spaces or bicycle spaces equivalent to twenty five percent (25%) of the required number of vehicle parking spaces, whichever is greater. (Ord. 1191, 2015,___)