

**BEFORE THE PLANNING AND ZONING COMMISSION
OF ELMORE COUNTY**

IN RE: File # ZDA-2016-01)
)
A Zoning Ordinance Text)
Amendment to the Elmore County)
Zoning and Development)
Ordinance.)
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**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER, RECOMMENDATION**

Applicant: Elmore County
520 E 2nd South
Mountain Home, ID 83647

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 1st day of June, 2016, for a public hearing, held pursuant to public notice as required by law, on a request for a zoning ordinance text amendment initiated by Elmore County to update the flood hazard regulations for Elmore County in Chapter 13 of the Elmore County Zoning and Development Ordinance (the "Ordinance"). The Commission heard testimony from Elmore County Personnel in support of the application. The Commission received oral testimony neutral to the application. The Commission received no written comments from the impacted agencies in regards to the application. Upon conclusion of the public hearing, the Commission duly considered all that was presented to them. Based upon all this information, the Planning and Zoning Commission now makes the following Findings of Fact:

FINDINGS OF FACT

1. Notice of public hearing was sent to all agencies and political subdivisions with jurisdictions in Elmore County on May 9, 2016.
2. Notice of public hearing was published in the Mountain Home News on May 11, 2016.
3. The Ordinance Text Amendment was initiated pursuant to Ordinance Section 6-7-10.
4. The State of Idaho National Flood Insurance Program Coordinator sent a letter requesting Elmore County update the flood regulations with the Idaho Model Flood Ordinance.
5. The flood regulations apply to all zones within Elmore County.

6. There has been no testimony for individuals or agencies stating that the ordinance text amendment will be detrimental to the public health, safety and welfare.
7. There has been no testimony stating that the ordinance text amendment will have any adverse impact upon the delivery of services by any political subdivision providing services to the County.
8. The ordinance amendment will not increase base densities in any of the zones therefore not creating any impacts upon the delivery of services.
9. The ordinance amendment will amend the Elmore County Zoning and Development Ordinance adopted on March 21, 2012 and amended on September 19, 2012 and July 23, 2014.
10. The ordinance amendment will amend and restate Chapter 13 of the Elmore County Zoning and Development Ordinance.

Based on the foregoing **FINDINGS OF FACT**, the Elmore County Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The zoning ordinance text amendment has met the requirements of Section 6-3-10 of the Elmore County Zoning and Development Ordinance.
2. The action taken herein does not violate Chapter 80 of Title 67 of the Idaho Code.
3. The requirements of Idaho Code §67-6511 have been met.

Based on the forgoing **CONCLUSIONS OF LAW**, the Elmore County Planning and Zoning Commission hereby enters the following:

RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

The zoning ordinance text amendment shall be sent to the Board of Elmore County Commissioners with a recommendation of **approval**.

COMMISSION VOTE:

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| CHAIRPERSON PATTI OSBORN | VOTED AYE |
| VICE CHAIRPERSON K.C. DUERIG | VOTED AYE |
| SUSAN FISH | VOTED AYE |
| ED OPPEDYK | VOTED AYE |
| JEFF BLANKSMA | VOTED AYE |
| SHANE ZENNER | VOTED AYE |
| DAVE HOLLAND | VOTED AYE |



 Patti Osborn, Chairperson

Elmore County Planning and Zoning Commission

DATED this 15th day of June 2016

ATTEST:



Alan Christy, Director