

ORDINANCE 2007- 3

**AN ORDINANCE AMENDING THE ELMORE COUNTY ZONING ORDINANCE –
CHANGING THE CURRENT LAND USE DESIGNATION FROM AGRICULTURAL A TO
M2 HEAVY INDUSTRIAL FOR CERTAIN PROPERTY HEREINAFTER SPECIFICALLY
DESCRIBED**

WHEREAS, Title 67, Chapter 65 of the Idaho Code and Article 12, Section 2 of the Idaho Constitution provide authority for Elmore County to adopt land use and regulation ordinances to protect the health, safety, and welfare of their citizens; and

WHEREAS, the Board of Commissioners of Elmore County passed the Comprehensive Growth and Development Plan in 2004 and the Zoning and Development Ordinance in 1994 with subsequent amendments; and

WHEREAS, the Planning and Zoning Commission and Board of Commissioners of Elmore County has determined that construction with adequate regulation is desirable and necessary for the full economic development of the county while protecting property and life; and

WHEREAS, on February 12, 2007 (written Findings of Fact, Conclusions of Law and Order issued February 20, 2007), the Board approved a request by Pacific Hide and Fur Depot, Inc. to change the zoning classification on certain real property located near Simco Road from Agricultural A to M2 Heavy Industrial, subject to the Board's obligation to enact an ordinance in compliance with Elmore Co. Ord. 94-1, art. XXII-1, § G.22-1 and I.C. § 67-6509; and

WHEREAS, the property is more specifically described as:

Southwest Quarter of the Southwest Quarter of Section 1, Township 2 South,
Range 4 East, B.M.

WHEREAS, a public hearing was held on March 12, 2007, before the Board to take public testimony on the proposed ordinance amendment; and

WHEREAS, notice of the public hearing was published in the Mountain Home News on February 21, 2007, and February 28, 2007; and

WHEREAS, following the public hearing held March 12, 2007, the Board concluded that the proposed zoning classification amendment was in accordance with the comprehensive plan and served the public necessity, convenience, general welfare and/or good zoning practices; and

WHEREAS, the Board voted to approve the zoning classification amendment.

Instrument # 385371
Elmore County, Idaho
04:14pm Mar. 12, 2007
For: ELMORE COUNTY COMMISSIONERS
No. of Pages: 2 Fee: \$00
MARSA GRIMMETT, Recorder
Deputy: JC

BE IT ORDAINED AND HEREBY ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED:

The property at issue is described as follows:

Southwest Quarter of the Southwest Quarter of Section 1, Township 2 South, Range 4 East, B.M.

The above-described property hereby shall be and is amended from a zoning classification of Agricultural A to a zoning classification of M2 Heavy Industrial.

This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

DATED this 12th day of March 2007.




LARRY ROSE, Chairperson


CONNIE CRUSER, Commissioner


ARLIE SHAW, Commissioner

ATTEST:


MARS GRIMMETT
Clerk of the Board of County Commissioners