

ELMORE COUNTY ORDINANCE 99- 9

AN ORDINANCE AMENDING THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE TO REDESIGNATE CERTAIN LANDS IN THE SIMCO ROAD DISTRICT FROM M2, HEAVY INDUSTRIAL TO M1, LIGHT INDUSTRIAL, FROM AGRICULTURE A TO M1, LIGHT INDUSTRIAL AND REQUIRING PERMITS AND LICENSES AFFECTING THE REDESIGNATED LANDS TO GIVE AND REQUIRE NOTICE OF NATIONAL GUARD ACTIVITIES.

WHEREAS, The Elmore County Zoning and Development Ordinance of 1994, as amended in 1995 and 1999 was adopted for the public health, safety and general welfare as authorized by Title 67 Chapter 65 of the Idaho Code and Article 12, Section 2 of the Idaho Constitution; and

WHEREAS an application to amend zone boundaries adopted by that Ordinance was received by the Elmore County Planning and Zoning Commission and the Commission, after notice and public hearing, forwarded to the Board of Commissioners a Recommendation and Motion the Ordinance be amended; and

WHEREAS the Board, after notice required by I.C. § 67-6509, conducted a public hearing on that recommendation, considered the matter and voted unanimously on October 25, 1999 to amend the Zoning and Development Ordinance;

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

That the official zoning maps and explanatory materials thereon, incorporated into the Zoning and Development Ordinance by Article V-1, Section A-5-1 of that Ordinance, be changed to amend the Ordinance as follows:

In Township 1 South, Range 4 East, B. M., the following be changed from Ag A to M1, Light Industrial, and M2, Heavy Industrial: That portion of Section 24 west of Interstate 84 be M2 with the exception of the most easterly ¼-mile wide strip being M1.

In Township 1 South, Range 4 East, B.M., the following be changed from M2 to M1: That portion of Sections 3, 10, 14, and 15 West of Interstate 84, except those portions which are commercial; Section 22; and the most northerly and westerly ¼-mile wide strips of Section 23.

In Township 2 South, Range 4 East, B. M., the following be changed from Ag A to M1: Sections 14 and 15.

IT IS FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED:

That every permit and license, except for building permits, issued by Elmore County, for property on the above-described lands include a statement that the property may be subject to

noise and/or dust originating from the Orchard Training Range of the Idaho National Guard. Furthermore, to the extent allowable by law, such permits and licenses shall also require that all plats, deeds, leases, conveyances, or any document filed with the county recorder's office affecting the above-described lands include such a notice.

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

DATED this 27<sup>th</sup> day of December, 1999

Attest:

Hail L. Best  
Clerk of the Board of  
County Commissioners



Larry E. Rose  
Larry Rose  
Chairman, Elmore County Board of  
Commissioners

M. C. McCurry  
Craig McCurry  
Commissioner

Fred Prouty  
Fred Prouty  
Commissioner

**319648**

ELMORE COUNTY, IDAHO ss  
Request of Elmore County Board of Commissioners  
Time 3:05 P M  
Date December 27, 1999  
Hail L. BEST, Recorder  
Barbara State  
Deputy  
Fee \$0.00

AN ORDINANCE AMENDING THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE TO REDESIGNATE CERTAIN LANDS IN THE SIMCO ROAD DISTRICT FROM M2, HEAVY INDUSTRIAL TO M1, LIGHT INDUSTRIAL, FROM AGRICULTURE A TO M1, LIGHT INDUSTRIAL AND REQUIRING PERMITS AND LICENSES AFFECTING THE REDESIGNATED LANDS TO GIVE AND REQUIRE PERMITS AND LICENSES AFFECTING THE REDESIGNATED LANDS TO GIVE AND REQUIRE NOTICE OF NATIONAL GUARD ACTIVITIES.

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WHEREAS, an application to amend zone boundaries adopted by that Ordinance was received by the Elmore County Planning and Zoning Commission and the Commission, after notice and public hearing, forwarded to the Board of Commissioners a Recommendation and Motion the Ordinance be amended; and

WHEREAS, the Board, after notice required by I.C. §67-6509, conducted a public hearing on that recommendation, considered the matter and voted unanimously on October 25, 1999 to amend the Zoning and Development Ordinance;

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

That the official zoning maps and explanatory materials thereon, incorporated into the Zoning and Development

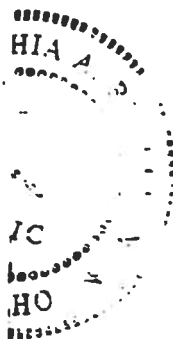
Ordinance by Article V-1, Section A-5-1 of that Ordinance, be changed to amend the Ordinance as follows:

In Township 1 South, Range 4 East, B.M., the following be changed from Ag A to M1, Light Industrial, and M2, Heavy Industrial: That portion of Section 24 west of Interstate 84 be M2 with the exception of the most easterly 1/4-mile wide strip being M1.

In Township 1 South, Range 4 East, B.M., the following be changed from M2 to M1: That portion of Sections 3, 10, 14 and 15 West of Interstate 84, except those portions which are commercial; Section 22; and the most northerly and westerly 1/4-mile wide strips of Section 23.

In Township 2 South, Range 4 East, B.M., the following be changed from Ag A to M1: Sections 14 and 15.

IT IS FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ELMORE COUNTY, IDAHO, IN LAWFUL MEETING ASSEMBLED:



100 A II  
FEB 1 1 2000  
ELMORE COUNTY, ID.

# Affidavit of Publication

County of Elmore }  
STATE OF IDAHO } ss.

I, Coleen W. Swenson, do solemnly swear that I am the foreman, or publisher of the

## Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

1 consecutive weeks, the first publi-

cation having been made on 5th day of

January 2000; and the last publi-

cation having been made on the 5th day of

January 2000 every Wednesday

issue of the paper during the period and time of

publication and that the notice was published in the

newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

*Coleen W. Swenson*

Subscribed and sworn to me this 5th day of

January 2000

*Cynthia Faberson*  
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My commission expires 09-09-2002.

...lands include a statement that the property may be subject to noise and/or dust originating from the Orchard Training Range of the Idaho National Guard. Furthermore, to the extent allowable by law, such permits and licenses shall also require that all plats, deeds, leases, conveyances, or any document filed with the county recorder's office affecting the above-described lands include such a notice.

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

DATED this 27th day of December, 1999.

/s/ Larry Rose, Chairman, Elmore County Board of Commissioners

/s/ Craig McCurry, Commissioner

/s/ Fred Prouty, Commissioner

Attest: /s/ Gail L. Best, Clerk of the Board of County Commissioners

One Publication January 5, 2000.

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