

STATE OF IDAHO
COUNTY OF ELMORE
SUMMARY OF ORDINANCE NO. 95-7
AMENDMENTS TO THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE

NOTICE IS HEREBY GIVEN That Ordinance No. 95-7 was passed by the Board of Elmore County Commissioners on December 26, 1995, amending the Elmore County Zoning and Development Ordinance No. 94-1.

The following is a summary of the ordinance:

Elmore County adopted their first countywide Zoning and Development Ordinance on March 14, 1994. Since adoption of this Ordinance, the Board of Elmore County Commissioners desires to amend and update the Elmore County Zoning and Development Ordinance based on the Elmore County Comprehensive Plan, plus changes and clarification to facilitate desirable growth and development.

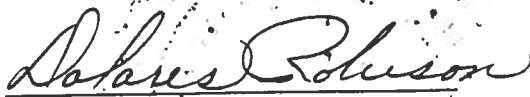
The amendments provide the addition of updated zoning maps and legal descriptions for different zones and areas mentioned in the Ordinance; change and/or add verbiage for continuity within the Ordinance; add the Glens Ferry Community Development Overlay and related regulations; add definitions for various terms which are not currently defined; modify various segments for clarifications and continuity within the ordinance; add new utility requirements to current subdivision requirements; add commercial zoning to I-84 interchanges and along highways/arterials; add standards for shallow flooding areas and require an elevation certificate for flood areas; require Ordinance violators to pay all incurred court costs; amend the list of land uses to reflect changes in permitted and conditional uses; amend setback tables; modify large parcel exemption; add posting requirements; clarify necessary action for Ordinance violations; include lot depth to width ratio; clarify grandfather rights for property owners; add a section on development agreements; add an index and the date of adoption of the Ordinance; modify the Procedures for Action by the Commission; modify the requirements for a technical study in the Mountain Home Aquifer CDO; add a time limit for appeals; add clarification to establish Elmore County as the final approving authority in all development matters; other clarifications as needed to help citizens better understand and read the Ordinance.

This Ordinance shall be effective upon its passage and publication according to law.

The full text of this Ordinance is available at the Elmore County Clerk's Office, 150 South 4th East, Suite #3, Mountain Home, Idaho 83647.

I, DOLORES ROBISON, hereby certify that I have read the above summary, compared it to the text of Ordinance No. 95-7 and believe that this summary is true and complete and provides adequate notice to the public.

DATED: December 27, 1995


DOLORES ROBISON
CLERK
BOARD OF COMMISSIONERS
ELMORE COUNTY, IDAHO

One publication : January 3, 1996

**SUMMARY OF
ORDINANCE NO. 95-7
AMENDMENTS TO THE
ELMORE COUNTY ZONING AND
DEVELOPMENT ORDINANCE**

NOTICE IS HEREBY GIVEN That Ordinance No. 95-7 was passed by the Board of Elmore County Commissioners on December 26, 1995, amending the Elmore County Zoning and Development Ordinance No. 84-1.

The following is a summary of the ordinance:

Elmore County adopted their first countywide Zoning and Development Ordinance on March 14, 1994. Since adoption of this Ordinance, the Board of Elmore County Commissioners desires to amend and update the Elmore County Zoning and Development Ordinance based on the Elmore County Comprehensive Plan, plus changes and clarification to facilitate desirable growth and development.

The amendments provide the addition of updated zoning maps and legal descriptions for different zones and areas mentioned in the Ordinance; change and/or add verbiage for continuity within the Ordinance; add the Glenns Ferry Community Development Overlay and related regulations; add definitions for various terms which are not currently defined; modify various segments for clarifications and continuity within the ordinance; add new utility requirements to current subdivision requirements; add commercial zoning to I-84 interchanges and along highways/arterials; add standards for shallow flooding areas and require an elevation certificate for flood areas; require Ordinance violators to pay all incurred court costs; amend the list of land uses to reflect changes in permitted and conditional uses; amend setback tables; modify large parcel exemption; add posting requirements; clarify necessary action for Ordinance violations; include lot depth to width ratio; clarify grandfather rights for property owners; add a section on development agreements; add an index and the date of adoption of the Ordinance; modify the Procedures for Action by the Commission; modify the requirements for a technical study in the Mountain Home Aquifer CDO; add a time limit for appeals; add clarification to establish Elmore County as the final approving authority in all development matters; other clarifications as needed to help citizens better understand and read the Ordinance.

This Ordinance shall be effective upon its passage and publication according to law.

The full text of this Ordinance is available at the Elmore County Clerk's Office, 150 South 4th East, Suite #3, Mountain Home, Idaho 83647.

I, DOLORES ROBISON, hereby certify that I have read the above summary, compared it to the text of Ordinance No. 95-7 and believe that this summary is true and complete and provides adequate notice to the public.

DATED: December 27, 1995.

DOLORES ROBISON, CLERK
BOARD OF COMMISSIONERS
ELMORE COUNTY, IDAHO

One publication January 10, 1996.

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

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 publication having been made on 10th day of January, 1996, and the last publication having been made on the 10th day of January, 1996; 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 11/17 day of

January, 1996

Brendo U. Jacoby
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My commission expires 11-16-98.

AN ORDINANCE OF ELMORE COUNTY, IDAHO, AMENDING THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE #94-1.

WHEREAS, Several areas in the Zoning and Development Ordinance need clarification, modification or amendment.

BE IT HEREBY ORDAINED BY THE CHAIRMAN AND BOARD OF ELMORE COUNTY COMMISSIONERS, IDAHO:

SECTION 1. STATEMENT OF PURPOSE. The purpose of this ordinance is to amend the Elmore County Zoning and Development Ordinance #94-1.

SECTION 2. AMENDMENTS TO THE ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE #94-1.

1. Accurate Zoning Maps - Elmore County is working with the Idaho Department of Transportation to prepare a computerized base map of the entire county. This base map will be used to prepare detailed zoning boundaries (countywide). Elmore County will continue to show zoning boundaries on the existing paper maps in the County Zoning office until the new computerized base map is available. Please see current County paper maps for proposed zoning boundaries.

2. Electrical Utilities - Add the following to the Subdivision Standards: "11.B.5-2 Electrical Utilities: All platted subdivisions shall have connection access to electrical utility services available to each lot in the subdivision. All electrical utilities shall be constructed to the specifications and requirements of Idaho Power Company or the Idaho Public Utilities Commission, whichever is applicable. If it can be proven that there is a social, economic or environmental hardship as a result of this subdivision improvement standard, then the Planning and Zoning Commissioners and/or Board of County Commissioners may remove this requirement on a case-by-case basis following the standards set forth in the variance procedure."

3. Commercial Zoning at all I-84 Interchanges - Add the following to the zoning standards, page 54, continuation of b. Commercial Use: "14) Commercial zoning will be designated at all current and future I-84 interchanges as follows: Any parcel of land or a portion of a parcel of land that is within 1/4 mile of an I-84 interchange shall be zoned Commercial. To be zoned commercial, the affected land parcel must be within 1/4 mile of I-84 and within 1/4 mile of the interchange roadway that crosses I-84 using right of way lines as the measuring points." "Also, Commercial zoning will

be designated along traffic arterials where commercial activities are likely to locate and provide economic development opportunities for the Community and County."

4. Visibility at Intersections - In paragraph 1.B.8-1 on page 39: Change the words "thirty (30) feet" in the last sentence to "sixty (60) feet".

5. Underground Utilities - Change paragraph 4.B.5-2 on page 132 to read as follows: "4.B.5-2 Installation of Underground Utilities: Underground utilities will be constructed in all platted subdivisions which have minimum lot street frontages of 150 feet or less. Platted subdivisions with a minimum street lot frontage in excess of 150 feet will not be required to have underground utilities but may have the option for overhead utilities. Corner lots shall not be considered in these calculations. If overhead electrical power is already at a site to be developed, the subdivider may have the option of using overhead power to lots which directly abut the overhead power line. All other lots must have underground power."

6. Standards for Shallow Flooding Areas - Add the following to the zoning standards page 93: "Section I.16-1 Standards for Shallow Flooding Areas (AO Zones). Shallow flooding areas appear on Federal Flood Insurance Maps (FIRM) as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

- (1) New construction and substantial improvements of residential structures within AO zones shall have the lowest flood (including basement) elevated above the highest adjacent grade of the building site, to or above the depth number specified on the FIRM map (at least two feet if no depth number is specified).
- (2) New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - (i) have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, to or above the depth number specified on the FIRM map (at least two feet if no depth number is specified); or
 - (ii) together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If

this method is used, compliance shall be certified by a registered professional engineer or architect.

- (iii) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures."

7. Community Development Overlay Boundaries - The Elmore County Zoning and Development Ordinance includes special overlay areas as requested by residents of Mayfield, Hammett, Mountain Home, Pine and Featherville. Article VII-1 on page 35 describes the requirements of the various overlay areas. The new detailed zoning maps which are being prepared by the Idaho Transportation Department and Elmore County, will depict specific overlay boundaries for the following:

Mayfield Community Development Overlay Area
Hammett Community Development Overlay Area
Mountain Home Aquifer Community Development Overlay Area
Area of Critical Concern (includes Pine, Featherville, Atlanta and Rocky Bar area)

Also since adoption of the March 14, 1994, Zoning Development Ordinance, residents of Glens Ferry have requested that a new Community Development Overlay Area be included in the updated Ordinance for citizen review and comment. Elmore County has agreed to prepare a Glens Ferry Community Development Overlay Area which will be shown on the new zoning maps. Please review the current paper maps in the Elmore County Zoning office which show these existing and proposed overlay areas.

8. Certificate of Occupancy - Flood Areas - Add the following sentence to Section E.21-1, Certificate of Occupancy, on page 106: "For any building/development in a flood plain area, a certificate of occupancy will be issued only after an Elevation Certificate is completed, signed by the proper authority, and returned to the Elmore County Planning and Zoning office."

9. Legal Descriptions of Zoning Areas and Related Boundaries - The new zoning maps prepared by the Idaho Transportation Department and Elmore County will include specific boundaries for all zoning districts, overlay areas, Area of Critical Concern, Airport Hazard Zone, Mountain Home Airport and the Mountain Home Waste Treatment Plant area. After these maps are prepared and adopted by Elmore County officials, written legal descriptions will be prepared to coincide with the map boundaries.

10. Editing and Clean-up - Page 90, last paragraph reads Section Community Development Overlay Area O.14-1, but it should be changed to "Section Q.15-1".

11. Editing and Clean-up - On Page iv of Ordinance, Off-Street Parking and Loading Facilities is listed as Article XIV-1. It should be listed as "Article XIX-1". The heading on Page 99 also needs to be changed to "Article XIX-1".

12. Conditional Use Permits - Add the following new section to Page 84. "Section K.14-1 Processing and Issuance of Conditional Use Permits involving local, state or federal agencies as part of the permit review and/or approval process. Elmore County reserves the right to withhold processing and/or issuance of any County Conditional Use Permit until the County is satisfied that County approval will be the final action in any multi-agency approval process. Necessary permits and approvals will be required from applicable local, state or federal agencies (other than Elmore County) prior to issuance of a Conditional Use Permit by Elmore County."
13. Public Storage - Add the following to the list of commercial land use types on Page 31: "Public Storage, "C" in the AgA, AgB, R and AHZ zones and "P" in the C, M1 and M2 zones."
14. Child Care Center - Add the following to the list of commercial land use types on Page 30: "Add a "C" in the AHZ column for Child Care Center."
15. Single Family Dwelling - Add the following to the list of Residential Land Use types on Page 29: "Add a "P" in the C Column for Single Family Dwelling."
16. Waste Processing/Disposal Facility - Add the following to Article II-1 Definitions on Page 2: "Waste Processing or Disposal Facility: An indoor or outdoor facility that is regulated or subject to regulations of state and/or federal agencies and where waste is collected, stored, processed, sorted, packaged, transferred or disposed of."
17. Compost Facility - Add the following to Article II-1 Definitions on Page 2: "Compost Facility: An indoor or outdoor facility that is regulated or subject to regulations of state and/or federal agencies and where compost is collected, stored, processed, sorted, packaged, transferred, created, cultivated or disposed of."
18. Urban Standards - Add the following to Article II-1 Definitions on Page 2: "Facilities and other services that are typically provided to the residents within population centers. These shall include central water, public safety services, municipal or central sewer collection and treatment systems, public schools, paved streets, parks and recreation facilities, storm drainage facilities and fire protection services."
19. Development Agreements - Add the following to Article XII-1 Development Agreements on Page 75: "Section B.12-1: Development Agreements: In accordance with the notice and hearing procedures of Article XXII-1, a property owner or developer may request that an application for rezone or zoning map amendment be processed in connection with the execution of a development agreement. Through such agreements, a property owner or developer may agree to make written commitments concerning the use or development of a subject parcel in exchange for the change of zoning requested. The purpose

of such agreements shall be to allow development that provides benefits for both the property owner and developer and the County by providing a balance between the owner or developer's desire for certainty in the development process and the County's desire for control of the impacts of the project.

Commitments made under such agreements are in addition to the regulations provided for in the zoning district by ordinance, and are established to assure compatibility of the resulting land use with the surrounding area. The following rules shall govern development agreements:

- A) Creation and Form: At a minimum, development agreements shall include the following: 1) a legal description of the subject property, 2) a description of the uses permitted on the land, 3) provisions for any reservation or dedication of land, 4) the duration of the agreement, and 5) the commitments or other terms of the agreement.
- B) Commitments and Safeguards: The written commitments or conditions exacted shall not be vague and shall have a reasonable relation to the zoning change approved. In addition, the following safeguards shall be applied:
 - 1. A development agreement shall only be allowed in connection with zone changes.
 - 2. If a substantial amount of land surrounding a property zoned in connection with a development agreement is rezoned to the same zoning as originally requested for the subject property, said development agreement and the commitments contained therein may be lifted by the County upon request of the owner or developer after complying with the notice and hearing provisions of Article XXII-1.
 - 3. A development agreement shall not prevent the County in subsequent actions applicable to the property from applying new rules, regulations, or policies that do not conflict with commitments applicable to the property as set forth within any duly executed agreement.
 - 4. If a commitment involves ongoing performance and the owner or developer fails to comply with the commitment after completion of construction, said failure may be dealt with by the County according to the violations and penalties provisions of Article XXI-1 or Subdivision Article IX-2, whichever Article is appropriate.
 - 5. When a commitment is required to be satisfied prior to completion of construction, and it is not so satisfied, construction shall be halted until compliance is established.
- C) Recording: Development agreements shall be attached as an exhibit to the ordinance establishing the zoning map

amendment. Agreements shall take effect and shall be recorded in the office of the county recorder upon the adoption of the ordinance establishing the zoning map amendment by Elmore County. Should a development agreement be terminated by the County, and the zoning designation upon which the use is based be reversed, a document recording such termination and zoning reversal shall also be recorded by the County in the office of the county recorder. Unless otherwise modified or terminated by Elmore County, an agreement shall be binding on the owner of the parcel, each subsequent owner, and each other person acquiring an interest in the parcel.

- D) **Modification, Enforcement, Termination and Extension:** A development agreement may be modified only by the permission of Elmore County after complying with a notice and hearing provisions of Article XXII-1. A development agreement may be terminated by the County and the zoning designation upon which the use is based may be reversed, upon the failure of the owner, developer, or each subsequent owner or each person acquiring an interest in the subject parcel to comply with the commitments in the agreement within 2 years, and after complying with the notice and hearing provisions of Article XXII-1. The 2 year period of time for compliance of commitments may be extended by the County for just cause and upon the application for such by the owner, and after complying with the notice and hearing provisions of Article XXII-1. The establishment of a development agreement and the written commitments contained therein in accordance with the provisions of this section shall be deemed written consent to change the zoning of the subject property to its prior designation upon failure of the conditions imposed by the agreement."

20. Court Costs - Add the following to Page 107, Penalties Regarding Non-Compliance, last paragraph: "Prosecutable violators will be responsible for and pay for all incurred prosecution and court costs determined by the court having jurisdiction."

21. Court Costs - Add the following to Page 143, Section C.9-2 Penalties: "Prosecutable violators will be responsible for and pay for all incurred prosecution and court costs as determined by the court having jurisdiction."

22. Conditional Use Permits - Add the following to CUP footnote near the bottom of Page 33: Used to establish site specific "use," bulk and coverage controls.

23. Minimum Frontage - Add the following to the (*)Note at the bottom of page 33: Change the words "not subject to the 200' setback standards" to read "not subject to the 200' minimum lot frontage standards".

24. Prohibited Signs - Change the wording of paragraph 3.C.18-1 on Page 97 to read as follows: "Signs which are placed in or on any

public . . ." and strike paragraph 4.C.18-2 because it is now a duplicate of paragraph 3.C.18-1.

25. Wrecking and Salvage Yard - Page 44, Change sentence G.2 to read as follows: "All yards shall be completely fenced and screened from view with gates at entrances and exits to keep salvage and on-site debris from scattering and littering.

26. Wrecking and Salvage Yard - Page 44, Add the word "Fence" as the last word in sentence G.3.

27. Wrecking and Salvage Yard - Page 44, Change the last three words of sentence G4 to read as follows: "Fencing and Screening."

28. Wrecking and Salvage Yard - Page 44, Add the following words to the end of sentence G.5: "Effective date of Elmore County Zoning and Development Ordinance = March 14, 1994. Effective date of compliance for Wrecking and Salvage Yards = March 14, 1995."

29. Editing and Clean-up - Page 45, item i, Livestock Confinement Operations, change Article XII to "Article XIII-1" for accuracy.

30. Editing and Clean-up - Page vii, Subdivision Article VI-2, items F.6-2 and G.6-2, change page numbers to "139" instead of page 138.

31. Recommendation by Commission - Page 109, Section F.22-1, Add the following sentence to the end of this paragraph: "If extenuating circumstances prevail such as inadequate time for hearing notices, lack of quorum, illness, acts of God, etc., the Commission may require more than sixty (60) days from the receipt of the proposed amendment to transmit its recommendation to the Board. The Commission will make every attempt to meet the sixty (60) day schedule."

32. Grandfather Property Rights - Add the following new definition to Article II-1 Definitions on page 2: "Grandfather Property Rights: Property owners have the right to improve their property and legal lots of record through the building permit process contingent upon meeting all county development standards, plus standards of the appropriate Highway District and Health District."

33. Gravel and Sand Pits, Rock Quarries, Natural Resources - Page 45, Add the following to Section E.8-1: "j. Gravel and Sand Pits, Rock Quarries, Natural Resources: Refer to AgB zone for standards."

34. Certificate of Occupancy - Add the following new section to Page 40: "6.C.8-1 Certificate of Occupancy: Elmore County will not issue a Certificate of Occupancy until connection to a central sewer system has been made - or - installation and connection of an approved on-site septic sewer system is completed."

35. Certificate of Occupancy - Add the following new sentence to the end of Section E.21-1 on Page 106: "Elmore County will not

Elmore County Ordinance No. 95-7

7

* Action by the Commission - Verbage also added to Section G.14-1. Action by the Commission. Omitted by Clerical Error. To be corrected by the Board of Elmore County Commissioners.

issue a Certificate of Occupancy until connection to a central sewer system has been made - or - installation and connection to an approved on-site septic sewer system is completed."

36. Adoption Resolution - Add the March 14, 1994, Adoption Resolution directly following the Ordinance Book Cover to help citizens understand the purpose of the ordinance adoption process.

37. Index - Create and add an index section as the last Article in the Ordinance Book to help citizens research the ordinance and understand the Ordinance provisions.

38. Technical Studies - Mountain Home Aquifer CDO - Page 37, Community Development Overlay (CDO) Requirement, change the second sentence to read as follows: "Technical studies shall normally be required for all proposed development with densities greater than one (1) dwelling unit per five (5) acres or as directed by the Elmore County Planning and Zoning Commission." "However, Elmore County reserves the right to have final determination in this matter."

39. Exemption of Large Parcels under Section A.3-2 General Rules - Page 117, Add the sentence as "9" "A Record of Survey Drawing shall be prepared by a licensed surveyor and filed with Elmore County." Also on Page 117, add the sentence as "(10) When a large land owner splits off a 40 acre or larger parcel of ground, the remaining original parcel of ground is still entitled to the lot split opportunities of the Letter of Information procedures. Splitting off 40 acre or larger parcels from the original land parcel does not negate or affect the Letter of Information procedure on the original parcel. The new 40 acre or larger parcels which are split off of the larger original parcel, forfeit their Letter of Information opportunity because the larger, original parcel retains the vested Letter of Information opportunity and procedure."

40. Page 116, Section 1.A.3-2 in the paragraph NOTE: Remove the words "creeks, streams" in the "Note" paragraph.

41. Page 23, Section B.3-1, item 6.B.1-3 should be "6.B.3-1". (Typographical error)

42. Pages 29, 30, 31, 32, Change all "P" to "C" in M2 Zone, except for Agriculture and Ranching. (Correction.)

43. Clarification Throughout the Zoning and Development Ordinance, to help citizens better understand public notification process: Add throughout the Ordinance at appropriate locations the requirement of "Posting Notice of Public Hearing" by applicants, at least seven (7) days in advance of Public Hearing. Time, place, date, type of action, etc. Also, update the various development application forms to mention this procedure and prepare a Sample Posting Notice for public use.

44. Page 33, Amend Residential Setback Table to include these new setbacks:

"Streets less than 60' ROW = 25' Front yard setback
Streets of 60' or more ROW = 20' Front yard setback

Corner lots - street side setbacks

- Street less than 60' ROW = 25' street sideyard setback
- Street 60' or more ROW = 20' street sideyard setback

Interior sideyard setbacks = 10'
Rear yard setbacks = 20'"

45. Page 33, Add a new note to the bottom of Page 33 to indicate that "lot sizes of 5 acres or less are subject to 3:1 lot depth to width design ratio standards."

46. Page 24, Expand 5.C.3-1 to clarify that Zoning Administrator will order actions necessary to correct Ordinance violations. After 21 days, if no corrective action is taken, the violation will be turned over to the Elmore County Sheriff for possible issuance of citation or appropriate legal or civil action.

47. Page 130 Section 1.I.4-2 LOTS - Add a new subparagraph as "C. A three to one (3:1) lot depth to width ratio applies to all lots in the County that are Five (5) Acres in size or smaller."

48. Page 86 Section D.15-1 Common Open Space. Change last sentence to read: "Every property developed under planned unit development approach should be designed to have access to common open space."

49. Page 104, Section J.20-1 Appeal to Board: Modify the first sentence to add a time period as follows: "Upon receipt of an appeal "within thirty (30) days" from the action of the Commission, the Board shall...."

50. Administrative Clarifications - Elmore County will make necessary ordinance clarifications and corrections for clarity to help Citizens use and better understand the ordinance.

51. Page 116 - 1.A.3-2 Note: Add the following sentence at the end of the Note paragraph..."Natural Breaks shall be measured to the center of the break to establish a method for measuring original parcels."

52. Page 61 - 6.E.8-1 item a.3) Add the following sentence at the end of a.3)..."If a proposed development does not involve hazardous materials handling or processing, then the Administrator may, at his or her discretion, reduce the fifteen (15) mile property owner notification radius to a one (1) mile property owner notification radius."

53. Modify the (**) note on the bottom of page 33 to remove the 300 foot lot frontage requirement and clarify that all lots shall be

developed with a Lot Frontage Ratio of one (1) lot width to three (3) lot depth, to be consistently applied throughout the ordinance.

54. Add an additional note to the bottom of page 33 to clarify that the design configuration of cul-de-sac lots shall be evaluated on a case by case basis and approved only if necessary by the Planning and Zoning Commission and/or the Administrator as appropriate.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective upon its passage and publication according to law.


SECTION 4. REPEAL OF CONFLICTING ORDINANCES. Any ordinance of Elmore County in conflict with the terms of this Ordinance is hereby repealed to the extent of such conflict.

PASSED by the Board of Elmore County Commissioners of Elmore County, this 26th day of December, 1995.


ELMORE COUNTY BOARD OF COMMISSIONERS



JOHN W. SHRUM, Chairman



BARRY J. PETERSON, Commissioner



CHARLES F. WHIPPLE, Commissioner

A T T E S T



DOLORES ROBISON, Clerk

Date of Publication: January 3, 1996