

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

**IN RE: File # ZDA-2011-02** )  
)  
**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 2<sup>nd</sup> South  
Mountain Home, ID 83647

This matter having come before the Planning and Zoning Commission of Elmore County, Idaho, the 7th day and 21st day of September, 2011, 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. The Commission heard testimony from Elmore County Personnel in support of the application. The Commission received oral testimony in regards to the application. The Commission received written comments from the impacted agencies in regards to the application. The Commission received testimony from the public 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 given to all agencies and political subdivisions with jurisdictions in Elmore County.
2. Notice of public hearing was published in the Mountain Home News on August 17, 2011.
3. The ordinance text amendment complies with the purpose statement for the adopted zones within the County. The amendment restricts uses within the Air Base Hazard Zone. The amendment allows for more uses within the Agriculture Zone with a Conditional Use Permit.
4. There has been no testimony stating that the ordinance text amendment will be detrimental to the public health, safety and welfare.

5. 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.
6. The ordinance amendment will amend and restate the Elmore County Zoning and Development Ordinance adopted on May 13, 2009.

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 6-3-9 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 foregoing **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:**

CHAIRPERSON PATTI OSBORN	VOTED AYE
VICE CHAIRPERSON K.C. DUERIG	VOTED AYE
DEBBIE LORD	ABSENT
BETTY VAN GHELUWE	VOTED AYE
SUSAN FISH	ABSENT
JIM MARTIN	VOTED AYE
ED OPPEDYK	VOTED AYE
JEFF BLANKSMA	VOTED AYE



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Patti Osborn, Chairperson  
Elmore County Planning and Zoning Commission

DATED this 5th day of October 2011

**ATTEST:**



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Alan Christy, Director