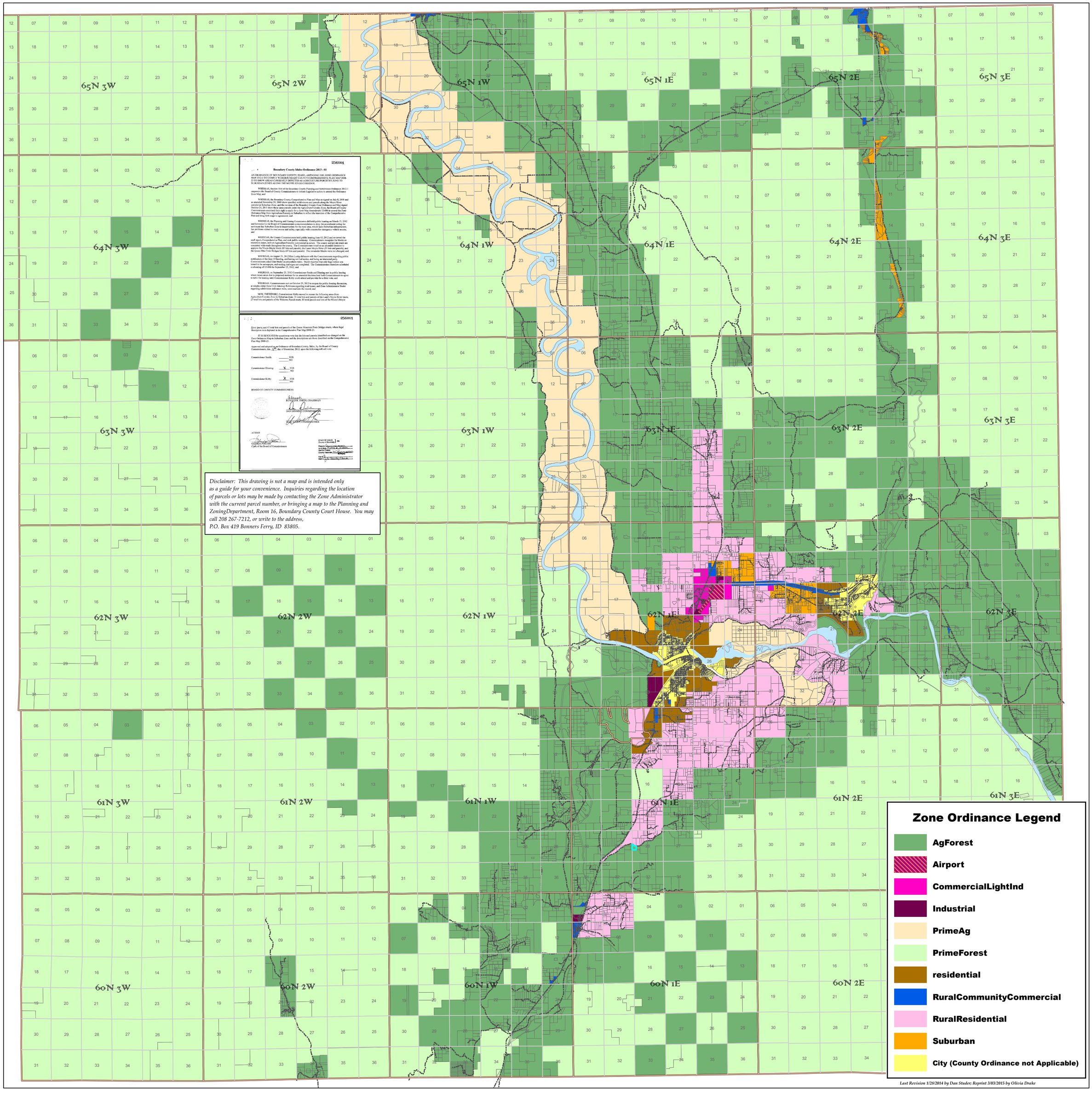

256001

Boundary County Idaho Ordinance 2013 - 01

AN ORDINANCE OF BOUNDARY COUNTY, IDAHO, AMENDING THE ZONE ORDINANCE MAP 2012-1 TO COMPLY WITH BOUNDARY COUNTY COMPREHENSIVE PLAN MAP 2008-23 TO BRING AREAS CURRENTLY DEPICTED AS AGRICULTURE/FORESTRY ZONE TO SUBURBAN ZONES ALONG THE MOYIE RIVER CORRIDOR.

WHEREAS, Section 18.6 of the Boundary County Planning and Subdivision Ordinance 2012-1 empowers the Board of County Commissioners to initiate Legislative action to amend the Ordinance Zone Map; and

WHEREAS, the Boundary County Comprehensive Plan and Map as signed on July 8, 2008 and an amendment to the Boundary County Zone Ordinance Map signed October 24, 2011 show these same parcels as Suburban Zone; and the revision of the Boundary County Zone Ordinance and Map signed October 24, 2011 show these same parcels under the Agriculture/Forestry Zone, the Board of County Commissioners exercised their right to apply for a Zone Map Amendment 12-006 to amend the Zone Ordinance Map from Agriculture/Forestry to Suburban to reflect the intention of the Comprehensive Plan and bring both maps in agreement; and

WHEREAS, the Planning and Zoning Commission did hold public hearing on March 15, 2012 and forwarded to the Board of Commissioners a recommendation to deny the amendment noting for settlement that Suburban Zone is inappropriate for the rural area, which lacks Suburban infrastructure, has problems related to road access and safety, especially with concerns for emergency vehicle access; and

WHEREAS, the County Commissioners held public hearing June 15, 2012 and reviewed the staff report, Comprehensive Plan, and took public testimony: Commissioners recognize the blocks as exurban zones, and not Agriculture/Forestry commercial in nature. The county and private roads are consistent with roads throughout the county. The Commissioners voted on an amended decision to approve the Nixon-Moyie block (85 lots and parcels), the Lanes Moyie River (51 lots and parcels), and the Quoss Mine/Twin Bridges block (47 lots and parcels). The remainder blocks were not changed; and

WHEREAS, on August 21, 2012 Ken Lusby did meet with the Commissioners regarding public notification of the June 15 hearing, and having not had notice, and being an interested party, Commissioner-elect Dan Studer on procedures rules. Studer reported that only legal notice was issued in the newspaper, and mailing and signs not completed. The Commissioners therefore scheduled a rehearing of 12-006 for September 25, 2012; and

WHEREAS, on September 25, 2012 Commissioner Smith and Dinning met in public hearing where issues arose due to proposed motions for an amended decision (and both Commissioners to agree to table the hearing until Commissioner Kirby could attend and provide for a third vote; and

WHEREAS, Commissioners met on October 29, 2012 to reopen the public hearing discussion, at which time Ken Lusby, Dan Studer, Commissioner Kirby, Commissioner and Zone Administrator Studer regarding subdivision ordinance rules, were read into the record; and

NOW, THEREFORE, Commissioner Kirby moved to rezone the following areas from Agriculture/Forestry Zone to Suburban Zone: 51 total lots and parcels of the Lane's Moyie River tracts; 27 total lots and parcels of the Welborne Ranch tract; 85 total parcels and lots of the Nixon's Moyie

256001

River parcs; and 47 total lots and parcels of the Quoss Mountain/Twin Bridges tracts, where legal description is as depicted in the Comprehensive Plan Map 2008-23.

IT IS RESOLVED by unanimous vote that the lots and parcels identified are changed on the Zone Ordinance Map to Suburban Zone and the descriptions are those described on the Comprehensive Plan Map 2008-23.

Approved and adopted as an Ordinance of Boundary County, Idaho, by the Board of County Commissioners, this 11th day of December, 2012, upon the following roll call vote:

Commissioner Smith: ____ YES ____ NO

Commissioner Dinning: X YES ____ NO

Commissioner Kirby: X YES ____ NO

BOARD OF COUNTY COMMISSIONERS

RONALD E. SMITH, CHAIRMAN

DAN DINNING, COMMISSIONER

ERIC KIRBY, COMMISSIONER

ATTEST:

CLERK'S NOTION
Clerk of the Board of Commissioners

STATE OF IDAHO } ss
County of Boundary }
I hereby certify that the within instrument is a true and complete copy of the original on file in my office.
Dennis Peascher
County Clerk By Deputy
Fee $
Date

Disclaimer: This drawing is not a map and is intended only as a guide for your convenience. Inquiries regarding the location of parcels or lots may be made by contacting the Zone Administrator with the current parcel number, or bringing a map to the Planning and ZoningDepartment, Room 16, Boundary County Court House. You may call 208 267-7212, or write to the address, P.O. Box 419 Bonners Ferry, ID 83805.