

536566

Microfilm _____ Day Nov _____
 At 4:48 P.M. _____
 ABBIE MACE
 FREMONT CO RECORDER
 Fee _____ Deputy
 Clerk Abbie Mace

ORDINANCE SUMMARY
ORDINANCE # 2012-02
FREMONT COUNTY DEVELOPMENT CODE 2011 EDITION
FREMONT COUNTY, IDAHO

ORDINANCE # 2012-02 AMENDS THE FREMONT COUNTY ZONING MAP previously adopted by Ordinance # 2011-04, by designating as "Industrial General (M2)" the following parcels of land as legally identified:

<u>Parcel ID Number</u>	<u>Legal Description</u>	<u>Address</u>
RP09N44E340003	N2NE4 LESS TAX #S; NW4SE4 SEC 34 TWP 9 RGE 44 (GRAVEL PIT)	1312 N 4525 E
RP08N43E17ST00	TAX 5087-5088 SEC 17 TWP 8 RGE 43 (GRAVEL PIT)	3702 E 1000 N
RP08N43E17CG00	TAX 2 SEC 17 TWP 8 RGE 43 (GRAVEL PIT)	3702 E 1000 N
RP08N42E06CG00	TAX 2608 SEC 6 TWP 8 RGE 42 (GRAVEL PIT)	1153 N 3100 E
RP09N44E34CG00	TAX 5025 LESS RD ROW SEC 34 TWP 9 RGE 44 (GRAVEL PIT)	1301 N 4525 E
RP07N41E29CG00	TAX 4322 SEC 29 TWP 7 RGE 41 (GRAVEL PIT)	180 N 2560 E
RP08N42E19CG00	TAX 5959 SEC 19 TWP 8 RGE 42 (GRAVEL PIT)	3033 E HWY 20
RP07N40E118700	TAX 2365 SEC 11 TWP 7 RGE 40 PP (GRAVEL PIT)	2285 E 400 N
RP07N40E118100	TAX 2474 SEC 11 TWP 7 RGE 40 MH (GRAVEL PIT)	2285 E 400 N
RP07N40E11DT00/01	TAX 3512 SEC 12 TWP 7 RGE 40	2575 S YELLOWSTONE F-WY
RP07N40E12FC02	TAX 1798-1799 SEC 12 TWP 7 RGE 40 (SHOP)	2560 S YELLOWSTONE F-WY
RP07N40E126300	TAX 4927 SEC 12 TWP 7 RGE 40	2317 E 400 N
RP07N40E126000	TAX 3513 SEC 12 TWP 7 RGE 40	2570 S YELLOWSTONE F-WY
RP07N40E125701	TAX 3511 LESS TAX 3512 SEC 12 TWP 7 RGE 40 PP	2555 S YELLOWSTONE F-WY
RP07N40E11FC00	TAX 1412 SEC 11 TWP 7 RGE 40 (5C DETENTION) LR	423 N 2300 E
RP07N40E119451	TAX 3563 LESS TAX 4818 SEC 11 TWP 7 RGE 40 (P2 2004) (O1 2006)	405 N 2300 E
RP07N40E119453	TAX 4818 SEC 11 TWP 7 RGE 40 PP	415 N 2300 E

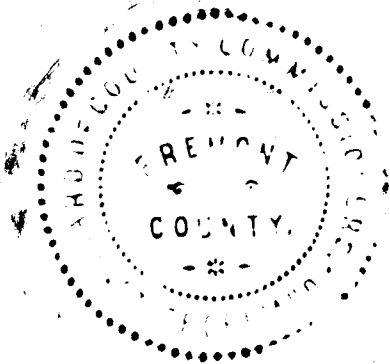
All as shown on the official Fremont County Zoning Map, dated concurrently herewith.

FURTHER, ORDINANCE # 2012-02 AMENDS THE FREMONT COUNTY DEVELOPMENT CODE by deleting Appendix W - Time of Property Transfer Inspection of Onsite Water and Sewage Disposal Systems in its entirety; by declaring the form and place of publication as an ordinance summary one (1) time in the *Upper Valley Standard Journal* on November 21st 2011; and by establishing the effective date as immediately upon publication.

Finally adopted, passed, approved, and ordered published by title and summary, with any amendments, by the Board of Commissioners of Fremont County upon a motion duly made, seconded and passed at its meeting held on the 21st day of November, 2011.

The full text of this Ordinance is available in the Fremont County Clerk's Office, Fremont County Courthouse, 151 West 1st North, St. Anthony, Idaho 83445, between the hours of 8 AM and 5 PM, Monday through Friday, excepting holidays.

FREMONT COUNTY BOARD OF COMMISSIONERS



By: *Skip Hurt*
Skip Hurt, Chairman

By: *Lee Miller*
Lee Miller, Commissioner

By: *Jordan Stoddard*
Jordan Stoddard, Commissioner

I hereby certify that the above Summary of Fremont County Ordinance # 2012-02 which is to be submitted for publication by title and summary, with amendments if any, one (1) time by the *Upper Valley Standard Journal* newspaper on November ____, 2011, under the provisions of Idaho Code § 31-715A, is true and complete and provides adequate notice to the public of the provisions of said Ordinance.

SEAL

ATTEST:

By: *Abbie Mace*
Abbie Mace, Fremont County Clerk

FREMONT COUNTY, IDAHO

536566

ORDINANCE # 2012- 02

AN ORDINANCE TO AMEND THE FREMONT COUNTY DEVELOPMENT CODE BY AMENDING THE FREMONT COUNTY ZONING MAP; DELETING APPENDIX W - TIME OF PROPERTY TRANSFER INSPECTION OF ONSITE WATER AND SEWAGE DISPOSAL SYSTEMS; AND BY ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Idaho Code § 67-6501, et seq., the Board of County Commissioners of Fremont County has authority over zoning and land development matters within the County; and

WHEREAS, pursuant to Idaho Code §§ 67-6508 and 67-6509, the Board of County Commissioners has adopted a comprehensive plan by resolution, known as the "Comprehensive Plan 2008 Edition"; and

WHEREAS, the Board of County Commissioners has previously adopted by ordinance comprehensive zoning and development regulations codified in a development code, known as the "Fremont County Development Code 2011 Edition;" and

WHEREAS, Paragraph 3.38 of the Fremont County Development Code, known as "Amendments," provides a procedure whereby the County may amend the Fremont County Zoning Map; and

WHEREAS, the Amendments process is based on counterpart state laws found in Idaho Code §§ 67-6509 and 67-6511 that govern county land use planning and zoning amendments; and

WHEREAS, the Planning and Zoning Commission, having considered this Ordinance at a duly noticed public hearing and meeting, has made a favorable recommendation to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has subsequently considered this Ordinance at a regularly scheduled public meeting; and

WHEREAS, the Board of County Commissioners has found this Ordinance to be in compliance with the Fremont County Comprehensive Plan; and

WHEREAS, pursuant to the Amendments process and Idaho Code §§ 67-6508 and 67-6509, the Board of County Commissioners finds that amending the Fremont County Zoning Map provides conformity with the Fremont County Comprehensive Plan 2008 Edition, provides uniformity in development patterns, enhances public confidence in the land development process, and ensures compliance with the public health, safety and welfare of Fremont County citizens and visitors; and

WHEREAS, through passage of this Ordinance, Fremont County will be able to preserve the public health, safety, welfare, and peace of the residents through carefully considered and developed land use regulations.

NOW, THEREFORE BE IT ORDAINED by the Board of County Commissioners of Fremont County that the Fremont County Development Code is amended as follows:

SECTION ONE – AMEND “OFFICIAL ZONING MAP OF FREMONT COUNTY”

That Fremont County’s Official Zoning Map, adopted by Ordinance # 2011-04, is hereby amended to designate as “Industrial General (M2)” the following parcels of land as legally identified:

<u>Parcel ID Number</u>	<u>Legal Description</u>	<u>Address</u>
RP09N44E340003	N2NE4 LESS TAX #5; NW4SE4 SEC 34 TWP 9 RGE 44 (GRAVEL PIT)	1312 N 4525 E
RP08N43E17ST00	TAX 5087-5088 SEC 17 TWP 8 RGE 43 (GRAVEL PIT)	3702 E 1000 N
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All as shown on the attached Zoning Map, dated concurrently herewith.

SECTION TWO – DELETE APPENDIX W - TIME OF PROPERTY TRANSFER INSPECTION OF ONSITE WATER AND SEWAGE DISPOSAL SYSTEMS

That Appendix W of the Fremont County Development Code, known as “Time of Property Transfer Inspection of Onsite Water and Sewage Disposal Systems,” is deleted in its entirety.

SECTION THREE – PUBLICATION

In accordance with Idaho Code §§ 31-715 and 31-715A, a summary of this ordinance shall be published in at least one (1) issue of the *Upper Valley Standard Journal* newspaper.

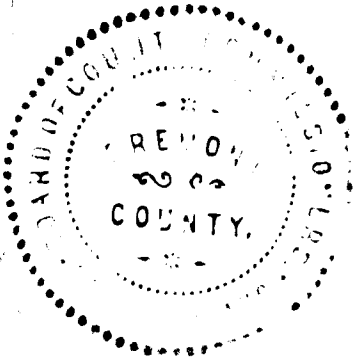
SECTION FOUR – EFFECTIVE DATE

In accordance with Idaho Code § 67-6509, this ordinance shall be effective immediately upon publication.

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY TITLE AND SUMMARY, WITH ANY AMENDMENTS, BY THE BOARD OF COMMISSIONERS OF FREMONT COUNTY UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE 21ST DAY OF NOVEMBER, 2011.

SO ORDAINED this 21st day of November, 2011.

FREMONT COUNTY BOARD OF COMMISSIONERS



By: *Skip Hurt*
Skip Hurt, Chairman

By: *Lee Miller*
Lee Miller, Commissioner

By: *Jordan Stoddard*
Jordan Stoddard, Commissioner

I hereby certify that the above Ordinance was finally adopted by the Board of Commissioners of Fremont County at its meeting of November 21, 2011, and ordered published by title and summary, with amendments if any, one (1) time by the *Upper Valley Standard Journal* newspaper on November __, 2011.

SEAL

ATTEST:

By: *Abbie Mace*
Abbie Mace, Fremont County Clerk