

ORDINANCE NO.: 419

AN ORDINANCE MAKING CHANGES TO MADISON COUNTY UNIFIED DEVELOPMENT CODE – PART II, CHAPTER 117, ARTICLE III, SECTION 117, UDC § 117-51, AS IT RELATES TO THE LAND USE TABLE AND ZONES WHERE COMMERCIAL GRAVEL PITS ARE ALLOWED, REPEALING ANY RESOLUTIONS OR ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING AN EFFECTIVE DATE THEREON.

WHEREAS, Board of County Commissioners of Madison County adopted the Unified Development Code (UDC) on or about July 26, 2010; and,

WHEREAS, the Madison County Planning and Zoning Commission held a public hearing on April 13, 2017, at 7:00 p.m. at the Commissioner's Room in the Madison County Courthouse, Rexburg, Idaho, to consider changes to the Land Use Table contained in Madison County Unified Development Code, Part II, Chapter 117, Article III, Section 117-51, as it applies to Gravel Pit, Commercial; and,

WHEREAS, the Planning and Zoning's Findings of Fact Conclusions of Law and Recommendations dated May 11, 2017, came before the Madison County Commissioners on May 22, 2017. After review of the same, the Madison County Commissioners tabled that matter to further review the findings, the ordinances in place, and the public hearing testimony presented at the Planning and Zoning level. On August 14, 2017, the Madison County Commissioners untabled the matter and chose to hold their own public hearing on the matter in order to further hear from the public prior to making their decision. The Madison County Commissioners held their public hearing on September 20, 2017, at 6:00 p.m., to further hear from the public on these proposed change; and,

WHEREAS, the Madison County Commissioners approved Findings of Fact and Conclusions of Law on November 27, 2017 and now desire to adopt this ordinance in conformity therewith.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR MADISON COUNTY, IDAHO AS FOLLOWS:

1. BE IT ORDAINED, by the County Commission of Madison County, Idaho, that changes are now hereby made to the Gravel Pit, Commercial Land Use Table, contained in Madison County Unified Development Code, Part II, Chapter 117, Article III, Section 117-51, as it applies to the Gravel Pit, Commercial land uses, by allowing commercial gravel pits, with conditional use permits, in two (2) additional zones of Agricultural (AG) and Light Industrial (I-L).

2. BE IT FURTHER ORDAINED, that prior to the adoption of this ordinance, commercial gravel pits were allowed by a conditional use permit only in a heavy industrial zone

(I-H) in Madison County, Idaho. Hence, upon passage and adoption of this ordinance, commercial gravel pits are now allowed only in the following zones with a conditional use permit as follows:

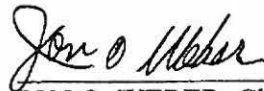
AG	A/R	C	I-L	I-H	MPC	R	TS	TAG
C			C	C				

3. BE IT FURTHER ORDAINED, if any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

4. BE IT FURTHER ORDAINED, this ordinance shall take effect and be in force from and after its passage and approval, and shall repeal any other resolution(s) or ordinance(s) in conflict herewith.

PASSED AND ADOPTED BY THE BOARD OF MADISON COUNTY COMMISSIONERS dated this 11th day of December, 2017.

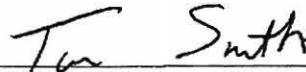
BOARD OF COUNTY COMMISSIONERS
MADISON COUNTY, IDAHO



JON O. WEBER, Chairman

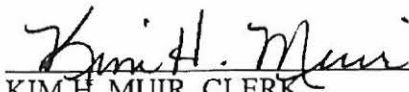


KIMBER O. RICKS, Commissioner



TODD SMITH, Commissioner

ATTEST:



KIM H. MUIR, CLERK