

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF LINCOLN
ORDINANCE # 147

RECEIVED
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Lincoln County Legal Counsel

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LINCOLN COUNTY
ZONING ORDINANCE #34, 1974, AS AMENDED, AND DECLARING EMERGENCY

The Lincoln County Board of Commissioners ordains as follows:

SECTION I: That Lincoln County Zoning Ordinance #34, as amended, is further amended to read as follows:

"Section 9.035 - Hearing Before the Governing Body. The governing body if it desires, may conduct a public hearing on an amendment to the text of the Zoning Ordinance or zoning maps on its own motion or on appeal from the person requesting the change or any affected person. If an appeal is filed, or the governing body moves to conduct a public hearing on its own motion, the hearing shall be held in accordance with Section 10.100. Notice of the public hearing shall be given as set forth in Section 10.050(2)."

"Section 10.100 - Procedure for Action by Board of County Commissioners.

"1. The Board shall hold a public hearing on an appeal from the Planning Commission within 40 days of receiving the Report and Recommendation from the Planning Commission.

"2. The Board in considering an appeal from the Planning Commission shall make findings of fact consistent with the requirements of this ordinance and consistent with the Comprehensive Plan for the County.

"3. In acting on an appeal, the Board shall limit its
1 Ordinance # 147

1 consideration to the record of the Planning Commission.'

2 "4. The Board shall not approve or allow a request for
3 which the findings of fact are not in conformance with the Com-
4 prehensive Plan for the County and the requirements of this or-
5 dinance.

6 "5. The Board shall make a record of any public hearing
7 held in consideration of an item pertaining to this ordinance.

8 "6. The Board shall have its decision made in writing,
9 and recorded in the clerk's office within 40 days of the first
10 day of a public hearing."

11 SECTION II: That this ordinance being necessary for the immedi-
12 ate preservation of the public peace, health, and safety, an emer-
13 geny is declared to exist and this ordinance takes effect on its
14 adoption.

15 DATED this 5th day of November, 1980.

16 LINCOLN COUNTY BOARD OF COMMISSIONERS

17 Andy Zedwick
18 Andy Zedwick, Chairman

19 W.S. Ouder Kirk
20 W.S. Ouder Kirk, Commissioner

21 Albert R. Strand
22 Albert R. Strand, Commissioner