

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR THE COUNTY OF LINCOLN

ORDINANCE # 153

RECEIVED  
MAY 7 1981

Lincoln County Legal Counsel

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AN ORDINANCE AMENDING LINCOLN COUNTY ORDINANCE #34, 1974 AS AMENDED, AND PROVIDING FOR MINOR CHANGES IN THE SETBACK REQUIREMENTS ADJACENT TO COLLECTOR AND ARTERIAL ROADS AND CONDITIONAL USES ALLOWED IN AGRICULTURAL ZONES.

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WHEREAS, this Board directed the Planning Commission to act in a legislative manner in consideration of errors in the comprehensive planning process, and

WHEREAS, the Planning Commission did consider amendments at a duly advertised public hearing held November 10, 1980, and recommended changes to this Board, and

WHEREAS, this Board advertised and held a public hearing on April 2, 1981, to consider the Planning Commission recommendations, and

WHEREAS, the Lincoln County Comprehensive Plan indicates "Adequate setbacks from arterial and collector roads shall be required in order to provide for future purchase of additional right-of-way," and

WHEREAS, the Lincoln County Plan provides for the protection of identified aggregate resources and encourages the expansion of industrial activities in areas suited to and capable of support-

ing those activities, and

WHEREAS, there is a limited supply of aggregate in this county such that reducing the operating cost of quarrying operations by combining operations of extraction, process and sale provides a public benefit which is best met by modifying the conditional use standards of the agricultural zone.

NOW THEREFORE, the Lincoln County Board of Commissioners ordains as follows:

SECTION I: Findings. The above findings as well as the findings of the Planning Commission are adopted as the findings of this Board for each of the following Amendments.

SECTION II: Amendments. That Section 3.415(2)(c) of Lincoln County Zoning Ordinance #34, as amended, is further amended as follows:

SECTION 3.415(2)(c)

The exploration, mining, processing, and sale of aggregate and other mineral resources or other subsurface resources.

SECTION III: Repealer. That Section 3.415(2)(c) of Lincoln County Ordinance #34, as amended by Ordinance #139, is hereby repealed.

SECTION IV: New Provisions. That Section 3.010(3)(c) is added to

and made part of Lincoln County Zoning Ordinance #34, as amended,  
as follows:

SECTION 3.010(3)(c) SPECIAL SETBACKS:

No structure shall be located closer than 30 feet from the right-of-way of any State Highway. No structure shall be located closer than 30 feet from the right-of-way of any collector or arterial street which has a right-of-way width of less than 60 feet.

SECTION V: Conclusions. These Amendments to the zoning ordinance are consistent with the Lincoln County Comprehensive Plan as shown in the adopted findings. A public need for the changes has been established and is best met by these changes.

SECTION VI: Severability Clause. If any portion of the zoning text adopted by this ordinance is declared invalid or void all other provisions of the text and maps shall remain in effect.

SECTION VII: Emergency Clause. That this ordinance being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared to exist, and this ordinance takes effect on its adoption.

DATED this 6 day of May, 1981.

LINCOLN COUNTY BOARD OF COMMISSIONERS

W. S. Ouder Kirk Chairman  
W. S. Ouder Kirk

Albert R. Strand Commissioner  
Albert R. Strand

G. E. Stuart Commissioner  
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