

**Amendment #12 - Amend to Section 1-1-170 to add a new section 170 to Article 1 to establish zoning for de-annexed property. The county attorney commented that “the Nearest compatible zoning” is unclear, so that may need to be either removed or reworded. My thought on this was that we would look at the existing use of any developed property and apply the proper zoning in accordance with the Permitted Use table and if we were unable to determine the proper zoning, the Board would have the discretion to apply the A1 zoning classification and allow the rezone process to proceed. Any undeveloped property would automatically be zoned A1.**

**The Planning Commission recommended approval.**

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**Section 170                      Zoning Classification of De-Annexed Property.**

A. Any developed property which has been de-annexed from any municipality or other county will be subject to the nearest compatible zoning district in which that use is permitted.

However, if a compatible zoning cannot be determined or at the direction of the Board of Commissioners, the property shall be zoned to A1 until a public hearing can be held, as specified in Article 4 Part 4, to establish the appropriate zoning classification for the property.

B. Any undeveloped property that has been de-annexed from any municipality or other county shall be zoned A1.

C. Any non-conforming use may continue to operate for a period not to exceed five years from the date of de-annexation.

**Recommended wording from County Attorney:**

- A. Any developed property which has been de-annexed from any municipality will be subject to the zoning classification that most closely matches the zoning classification governing the property when it was in the municipality as determined at the discretion of the Board of Commissioners.
  
- B. Any undeveloped property that has been de-annexed from any municipality or other county shall be zoned A1. If the owner seeks a different zoning classification, a rezone application must be filed in accordance with Article 4 Part 4.