

**ORDINANCE NO. 2023-04**

AN ORDINANCE AMENDING THE ORDINANCE 2020-01 RESIDENCE FOR COMMERCIAL CARETAKER FOR CARIBOU COUNTY, IDAHO; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; REPEALING CERTAIN ORDINANCES NOT INCLUDED HEREIN OR IN CONFLICT HERewith; WAIVING THE THREE READING RULE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO, AS FOLLOWS:

**SECTION 1. CHAPTER 13.48.050 Residence for a Commercial Caretaker****13.48.050 Residence for a Commercial Caretaker**

1. One single-family residence for a caretaker, owner, operator, or manager, and their ~~his~~ immediate family is permitted as an attached or detached dwelling for any agricultural, commercial or industrial use such as: farming, ranching, kennel, stable, or veterinary clinic for purposes of operation, security and protection of the principal use.
2. The building standards for the caretaker residences are required to meet and follow the current International Building and Residential Codes. The caretaker residence will adhere to the required setbacks on their designated zone. ~~applicable to a commercial caretaker's residence shall not differ from those imposed by this title on any other housing unit of the same type, except the minimum lot size requirement.~~
3. The caretaker residence is to establish a second dwelling on the operation(s) property. ~~For the caretaker's residence a one-time land division to establish a separate lot for~~ The residence is allowed when it meets the following requirements:
  1. a) The applicant's property must be compliant with the current minimum acreage of their current zoning to apply. Required minimum acres: The minimum lot size for the caretaker lot after the split must be five acres when using a private septic system, 2.5 acres when using an extended treatment package system (ETPSs) septic system, and half an acre when hooked to a community septic system.
    1. Agricultural: Forty (40) acre minimum
    2. Commercial: Five (5) acres when using a private septic system, and anything smaller than five acres must be connected to a community sewer system
    3. Industrial: Five (5) acres when using a private septic system, and anything smaller than five acres must be connected to a community sewer system
  2. b) The resulting second dwelling land division will still grant have direct access to a public road or an easement granting access to the property residence from a public road, if the residence is required to pass through another property owners land to access a public road, for both the caretaker residence lot and the land for the rest of the operation.
  3. ~~Utilities must be established and utility easements honored that are in existence.~~
  4. c) The caretaker residence cannot be established and deeded separately than the originating property or deed.
  5. ~~The current landowner must sign an affidavit of understanding that the land division for a~~

~~caretaker lot must not be done for the purpose of marketing or the resulting lot to a non-caretaking party, that~~ The residence constructed will be inhabited by an employed caretaker of the operation, and their immediate family members. ~~any other such terms as deemed necessary by the county's legal counsel.~~

4. To apply for a residence for a caretaker ~~land split~~, an application with proposed ~~land division~~ caretaker residence and site plan must be submitted to the planning and zoning administrator for review.
5. Upon approval from the administrator, the applicant ~~must sign the affidavit of understanding and then may proceed with the survey to divide the land and have the resulting survey recorded.~~ may proceed in applying for appropriate building permits.

**SECTION 2.** If any provision of this Ordinance shall be declared by a court of appropriate jurisdiction to be invalid, such decision shall not affect the validity of remaining portions of this Ordinance. Any remaining portions shall be interpreted to give effect to the spirit of this Ordinance prior to removal of the provisions declared invalid.

**SECTION 3.** The rule requiring that this ordinance be read on three (3) separate occasions is hereby waived.

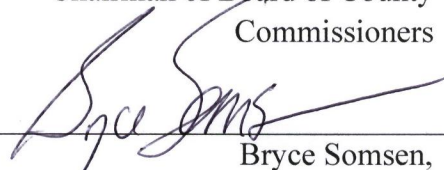
**SECTION 4.** This ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND DATED this 27<sup>th</sup> day of March, 202<sup>85</sup>3.

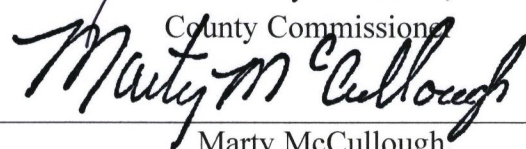
**CARIBOU COUNTY COMMISSIONERS**



Mark Matthews,  
Chairman of Board of County  
Commissioners



Bryce Somsen,  
County Commissioner



Marty McCullough,  
County Commissioner

**ATTEST:**



Jill Stoor,  
Clerk of Caribou County