

ORDINANCE NO. 2023-011

AN ORDINANCE AMENDING THE ORDINANCE 2020-01 12.20 MINOR LAND DIVISION 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 12.20 One-Time Land Division in the Agricultural District**CHAPTER 12.20 ONE-TIME LAND DIVISION IN THE AGRICULTURAL DISTRICT****12.20.010 Eligibility for a One-Time Land Division****12.20.020 Record Of Survey**

A One-Time Minor Land Division in the Agricultural District Zone is the option to divide your property into two parcels through staff level approval as long as your parcel is eligible. All properties must meet the following standards are eligible for a one-time division as long as both parcels created would meet the required minimum lot size of your zone. If your property is located within a subdivision, it will be required to follow the replat process outlined in CCC Title 12 Subdivisions.

Standards for eligibility for a Minor Land Division:

1. Zoned Agricultural
2. Road Access:
 - a. County Maintained Road: Property must have direct access to county-maintained road.
 - b. Private Road: If properties will be utilizing a private road, the private road must connect to a county-maintained road.
3. Property must be in the same configuration since February 25, 2008.
4. Septic & Well:
 - a. Minimum acreage allowed to use individual well and septic is five (5) acres.
 - b. Property being split into lot sizes smaller than five (5) acres must already have an established well and septic. If this property does not have an existing well or septic, it is required to be connected to a community system.
5. Split property will remain in the zone it originated from and all zone requirements must be followed.
6. If the one-time land division creates a parcel that is greater than the required minimum acreage of the zone, the property is allowed to continue splitting until the minimum is met with staff approval. Once the property has reached the minimum, it is no longer eligible to be split again, unless it follows the county subdivision process outlined in Caribou County Code Title 12 Subdivisions.

- a. Example: A property utilized the one-time land division in the agricultural zone to separate two parcels: The first parcel being 20 acres and the second parcel being 80 acres, which is above the required minimum of 40 acres in this zone. The first parcel of 20 acres is no longer elidable for further land splits. The second parcel would be permitted without staff approval to split the remaining 80 acres into two separate parcels of 40 acres each.

For properties that do not meet the standards listed above and are not in the agricultural district, the property may still be divided through the subdivision process.

SECTION 2. 12.04.020 Definitions One-Time Land Division

One-Time Land Division means a division of a tract of land into two.

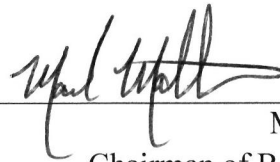
SECTION 4. If any provision of this Ordinance shall be declared by a court of appropriate jurisdiction to be invalid, such decision shall not affect the validity of remaining portions of this Ordinance. Any remaining portions shall be interpreted to give effect to the spirit of this Ordinance prior to removal of the provisions declared invalid.

SECTION 5. The rule requiring that this ordinance be read on three (3) separate occasions is hereby waived.

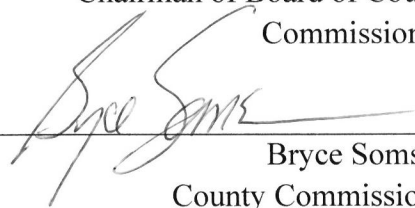
SECTION 6. This ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND DATED this 9th day of October, 2023.

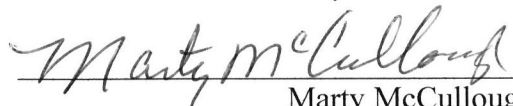
CARIBOU COUNTY COMMISSIONERS



Mark Mathews,
Chairman of Board of County
Commissioners

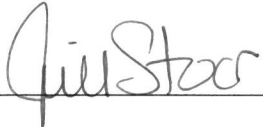


Bryce Somsen,
County Commissioner



Marty McCullough,
County Commissioner

ATTEST:



Jill Stoor,
Clerk of Caribou County