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OFFICIAL RECORD BK# 1024
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
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BANNOCK COUNTY

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COUNTY ORDINANCE 2018-03
Amendment No. 39 to Zoning Ordinance No. 1998-1
Bannock County, Idaho

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1998-1, AMENDING SECTION 310 AGRICULTURAL DISTRICT TO PERMIT ONE DWELLING PER 40 ACRE PARCEL AS WELL AS QUARTER-QUARTER SECTIONS.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BANNOCK COUNTY, IDAHO:

SECTION 1:

That Section 310 – AGRICULTURE DISTRICT of Ordinance 1998-1, be amended to reflect the following:

A) 310 AGRICULTURAL DISTRICT (A)

315 DIVISIONS OF AGRICULTURALLY ZONED LAND FOR RESIDENTIAL USE:

Land in the Agricultural District may be divided for residential use in the following manner:

- A. One (1) dwelling unit shall be permitted for each forty (40) acres of land in a single ownership up to one hundred and sixty (160) acres.
- B. When more than one hundred and sixty (160) acres are held in a single ownership, then one (1) dwelling unit shall be permitted for each additional one hundred and sixty (160) acres. This amounts to one dwelling unit for approximately every additional 160 acres owned.
- C. After the first two residences, each dwelling unit shall be located on its own separate lot, the size of which shall be equal to or larger than the Minimum Lot Area specified in the Building Bulk and Placement Standards for the Agricultural District.
- D. Building lots shall be created by following the requirements set out in the subdivision ordinance of Bannock County, as amended.

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E. Subdivision, as defined in the Bannock County Subdivision Ordinance, shall be permitted in the Agricultural District, according to Section 315.E.1. (Amendment #3 Ordinance #1999-3)

1. SUBDIVIDING IN THE AGRICULTURAL ZONE. Open space subdivisions designed according to Section 401 of the Bannock County Subdivision Ordinance No. 1997-4, shall be permitted with a density of one residence per 40 acres.

A. Requirements for sewage treatment and water systems shall not apply to lots over one acre.

B. Lots shall be clustered and may vary in size with a minimum of one acre.

C. Subdivision shall have a single access, built to county standards, to a county maintained road.

D. The recorded plat must include all the land used to determine the number of lots, and all but the permitted lots be restricted from residential development.

E. All other requirements and standards of the Subdivision Ordinance shall apply.

Example: A 160-acre tract could result in a four-lot subdivision designed according to the criteria in Section 401.B of Subdivision Ordinance No. 1997-4. All but the individual lots would serve as the open space with no additional open space required.

F. These regulations are to be regarded as limitations on the overall density of development in the Agricultural District, not as minimum building site or minimum lot size requirements.

G. No more than four non-farm and/or farm dwellings or a combination thereof may be placed in the same quarter-quarter section.

* For the purposes of these provisions, a quarter-quarter section or Government Lot shall be equivalent to a forty (40) acre parcel.

SECTION 2: REPEALING CLAUSE

All other ordinances and parts of ordinances in conflict herewith shall be, and the same hereby repealed, including the Comprehensive Plan.

SECTION 3: SEVERABILITY

If any word, phrase, section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of the Ordinance and it is hereby expressly declared that every other word, phrase, section, subsection, provision, clause or

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paragraph of the Ordinance enacted, regardless of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

SECTION 4: EFFECTIVE DATE

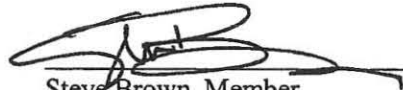
This ordinance shall be in full force and effect upon its passage, approval, and publication.

Adopted this 13th day of February, 2018 by Resolution Number 2018-18.

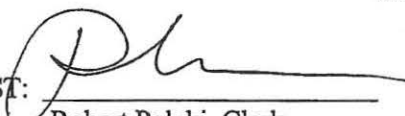
BOARD OF BANNOCK COUNTY COMMISSIONERS



Terrel Tovey, Member



Steve Brown, Member

ATTEST: 

Robert Poleki, Clerk

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SUMMARY ORDINANCE NO. 2018-03
BANNOCK COUNTY, IDAHO

STATEMENT OF PURPOSE – Passage of Ordinance No. 2018-03 Amendment No. 39 to Zoning Ordinance 1998-1.

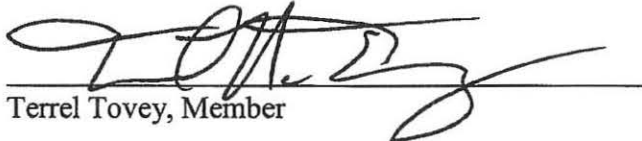
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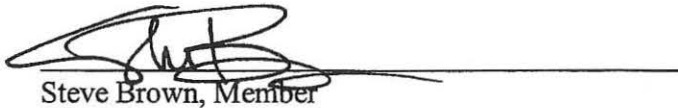
PROVIDING FOR AN EFFECTIVE DATE: This Ordinance shall be in full force and effect upon its passage, approval, and publication.

Adopted this 13th day of June, 2018, by Resolution Number 2018-18.

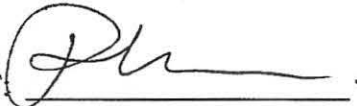
THE FULL TEXT OF THIS ORDINANCE IS AVAILABLE IN THE OFFICE OF THE BANNOCK COUNTY CLERK, 624 E CENTER ST, POCA TELLO, IDAHO.

BOARD OF BANNOCK COUNTY COMMISSIONERS


Terrel Tovey, Member


Steve Brown, Member

This is a true and complete summary of Ordinance 2018-03 and provides adequate notice to the public.

ATTEST: 
Robert Poleki, Clerk

PUBLISH DATE: February 18, 2018