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KIM H. MUIR Fee: 0.00

Ex-Officio Recorder Deputy



ORDINANCE NO. 489
RURAL RESIDENTIAL 1.5 ZONE

**MADISON COUNTY
ORDINANCE 489**

AMENDMENT TO THE MADISON COUNTY UNIFIED DEVELOPMENT CODE

**AMENDMENT TO THE MADISON COUNTY UNIFIED DEVELOPMENT CODE
CHAPTER 117, ARTICLE III, AMENDING SECTION 117-46 AND TO ADOPT
SECTION 117-64 RURAL RESIDENTIAL 1.5 ZONE.**

WHEREAS, Madison County Unified Development Code Chapter 117 currently provides regulations for established zones.

WHEREAS, a proposal was submitted to the Madison County Planning and Zoning commission to amend chapter 117 to adopt a new zone designation known as the Rural Residential 1.5 (RR 1.5 Zone).

WHEREAS, A public hearing was held on Wednesday June 12, 2024, and continued on Wednesday October 23, 2024 to review the proposed adoption aimed at addressing the growing demand for housing while preserving the County's Agricultural and rural character.

WHEREAS, after careful consideration of public input, the County's development goals, and potential impacts, the Planning and Zoning Commission recommended approval of the proposed adoption of the Rural Residential 1.5 Zone.

WHEREAS, The Board of County Commissioners, having reviewed the findings of fact and recommendations from the Planning and Zoning Commission, formally adopted the proposed Rural Residential 1.5 Zone and findings of fact on November 12, 2024.

NOW THEREFORE, be it ordained by the Board of the Madison County, in the State of Idaho, as follows: that the Madison County Unified Development Code Chapter 117, Article III, Section 117-64 Rural Residential 1.5 Zone is hereby adopted in accordance with the findings and recommendations set forth by the Planning and Zoning Commission and adopted by the Board of County Commissioners.

SECTION 1: **AMENDMENT** "Sec 117-46 Zoning Districts Created" of the Madison County County Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 117-46 Zoning Districts Created

For the purpose of promoting pride of ownership, health, safety, morals and general welfare within its area of jurisdiction, the county is divided into the following land use designations:

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AG	Agricultural Zone
A/R	Agriculture/Recreation Zone
C	Commercial Zone
I-L	Industrial-Light Zone
I-H	Industrial-Heavy Zone
MPC	Master Planned Community Zone
R	Residential Zone
TS	Town Site Zone
TAG	Transitional Agricultural Zone
SLO	Sensitive Lands Overlay Zone
IO	Industrial Overlay Zone
FPO	Floodplain Overlay Zone
GPO	Gravel Pit Overlay Zone

(Prior Code, title 10, § 4.2.1)

AFTER AMENDMENT

Sec 117-46 Zoning Districts Created

For the purpose of promoting pride of ownership, health, safety, morals and general welfare within its area of jurisdiction, the county is divided into the following land use designations:

AG	Agricultural Zone
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TS	Town Site Zone
TAG	Transitional Agricultural Zone
SLO	Sensitive Lands Overlay Zone
IO	Industrial Overlay Zone

FPO	Floodplain Overlay Zone
GPO	Gravel Pit Overlay Zone
RR 1.5	Rural Residential 1.5 Zone

(Prior Code, title 10, § 4.2.1)

SECTION 2: ADOPTION “Sec 117-64 Rural Residential 1.5 (RR 1.5) Zone” of the Madison County County Code is hereby *added* as follows:

BEFORE ADOPTION

Sec 117-64 Rural Residential 1.5 (RR 1.5) Zone (Non-existent)

AFTER ADOPTION

Sec 117-64 Rural Residential 1.5 (RR 1.5) Zone(*Added*)

- (a) **Purpose and Intent** - The purpose of the Rural Residential 1.5 (RR 1.5) Zone is to provide for low-density residential development in rural areas that preserves the character of the countryside while allowing for a limited mix of residential and compatible non-residential uses.
- (b) **Permitted Uses** - The following uses are permitted by right within the RR 1.5 Zone:
 - (1) Single-Family Homes (primary dwellings)
 - (2) Accessory dwellings (attached and detached, no more than one primary dwelling and one accessory dwelling per lot).
 - (3) Accessory Buildings
 - (4) Bed and Breakfast, up to 5 rooms.
 - (5) Livestock Pens
 - (6) Schools (High School, elementary school, child care center or day care).
 - (7) Parks, playgrounds, ballfields
 - (8) Home-based businesses with up to five (5) employees.
 - (9) public art
 - (10) Agriculture related structure
 - (11) Fire station
 - (12) police station
 - (13) Cemetery
 - (14) produce stand
- (c) **Conditional Uses** -
The following uses are permitted within the RR 1.5 zone with the approval of a Conditional Use Permit:
 - (1) Communication Towers
 - (2) Wind Turbines (private)

- (3) Religious Assemblies (Churches)
 - (4) Assisted Living Housing - Minor
- (d) **Development Standards -**
 - (1) Minimum Lot Size:
 - a. Minimum Lot Size = 1 Acre
 - b. Average Lot Size= 1.5 Acres
 - (2) Minimum Lot Width:
 - a. 125 feet (at least one side of the lot must be at least 125')
 - (3) Setbacks:
 - a. Front Setback: 30 Feet (As measured from the edge of the right of way)
 - b. Side Setback: 10 Feet
 - c. Rear Setback: 25 Feet
- (e) Zoning Criteria
 - (1) Lands may be zoned as RR 1.5 if they meet one or more of the following criteria:
 - a. The land is currently zoned as Transitional Agriculture.
 - b. The land is adjacent to areas zoned as Transitional Agriculture.
 - (2) The application of the RR 1.5 zone to lands meeting these criteria shall not be considered a "spot zone" due to the similar nature and intent of the RR 1.5 and TAG zones.
 - (3) RR 1.5 zone may be applied to areas identified in the Comprehensive Plan Future Land Use Map as *Rural Cluster*.
- (f) Application Process - Applications to rezone land to the RR 1.5 zone shall be adjudicated according to the procedures in Madison County Code Section 101-14.

PASSED AND ADOPTED BY THE MADISON COUNTY BOARD

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	AYE	NAY	ABSENT	ABSTAIN
Commissioner Todd Smith	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Brent Mendenhall	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Dustin Parkinson	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest

Todd Smith
Commissioner Todd Smith, Chair,
Madison County

Kim Muir
Kim Muir, Clerk, Madison County