



INFORAMTION FOR LAND SPLIT

This questionnaire and information sheet has been put together so that you as a land owner can be informed of the restriction, advantages and options that you may have and to provide guidance for land use decisions. The permitted uses in the Agricultural Zoning District should be farm and ranch operations with the customary accessory uses: Home occupations; utility installations; and new residences for each 160 acres on non-irrigated or 80 acres of irrigated land, up to the point where a subdivision is created. The minimum lot size for a residential residence is one acre.

Name _____

Address _____

How many acres do you own? _____, How many are irrigated _____ non-irrigated _____?

How many dwellings are presently on these acres? _____, irrigated acres dwellings _____, non-irrigate acres dwellings _____.

A. Exemptions For Land Divisions: No permit shall be required for land divisions resulting from the following activities:

- a. An adjustment of lot lines shown on a recorded plan that does not reduce the area, frontage, width, depth, or building setback lines on any lot below the minimum requirements of this title, and does not change the original number of lots shown on the plat.
- b. An allocation of land in the settlement of an estate, or as a result of a court decree for the distribution of specific parcels of property.
- c. A gift of land for public purposes, and unwilling sale of land as a result of condemnation, or the acquisition of street rights of way or other public ways or spaces by a public agency.
- d. An exchange of land for the purpose of straightening adjacent property boundaries which does not result in a change in land use.
- e. Any division in which three (3) or fewer parcels created or remaining are more than (20) acres or less than forty (40) acres in size and for which said division does not involve the dedication of streets or other public ways or spaces.
- f. The creation of cemetery lots.
- g. State law may require a record of survey for some activities exempted by this title.

If your split does not fit within the above mentioned criteria a permit is required!!!!!!!!!!!!!!!!!!!!!!

PERMIT REQUIREMENTS AND PROCEDURES:

- B. Permits Required:** Permit shall be required for any division of land, grading, excavation, construction, reconstruction, or a land development, land use, or building activity, except as specifically exempted by subsection A. Applications for permits shall be processed as described in this section.

- C. One dwelling for each parcel of one hundred and sixty (160) acres of non-irrigated land or one dwelling for each eighty (80) acres of irrigated land.
- a. A limited number of dwellings in the agricultural zone: The purpose of this provision is to provide for additional farm homes, tenant housing, and the occasional gift or sale of home sites. The dwellings permitted may be isolated or clustered together, and may be in the same or separate ownership as the surrounding agricultural land.
 - b. **PLEASE NOTE: the creation of more than three new, adjacent or essentially adjacent home sites that are intended to be in separate ownership shall be considered a subdivision and will require a zoning review and map amendment.**
 - c. Performance Standards for lot splits and subdivisions: A lot split is the creation of any parcel of land of less than twenty (20) acres for the purpose of sale, lease, rental, or development. All lot splits shall comply with the following requirements.
 - i. A lot split shall not be used as a means to evade the requirements of the Power County Ordinance for subdivisions.
 - ii. Any lot created shall be capable of accommodating a permitted use allowed by this ordinance.
 - iii. Minimum lot size for a permitted residence is one acre.
 - iv. Any lot created shall be frontage on and direct access to an existing public road in compliance with the standards of Power County.
 - v. Lot splits shall comply with all other applicable standards of Power County ordinances.
 - vi. The provision of access to the lot created, include any necessary extension of roads will be the responsibility of the developer.

If you are unsure what category your land falls under please contact Power County Planning and Zoning Director for additional information.

Best regards,

Andi Higgins
Power County
Planning Director/Building Official

LAND SPLIT CHECKLIST

Agricultural, Rural Residential or Commercial Industrial Zones

NOTE: You can only make two (2) parcels out of any one parcel if the original split was made prior to June 1, 1995. The parcel to be split must be at least two (2) acres as Power County does not allow parcels under one (1) acre in size.

The following information may or may not be required when applying to divide land.

Not allowed:

- ✓ Splits in heavy industrial zones for new residential homes or new home construction.
- ✓ No splits for residential construction or subdivision construction within the two thousand six hundred and forty (2640) feet buffer area near industrial zones, feed lots, etc.

Always required:

- ✓ Record of survey completed and recorded with Power County.
- ✓ New parcel deeds describing the split (both properties) must be recorded in Power County.
- ✓ Deed showing ownership of piece to be split. Parcel must meet all Power County ordinances and Comprehensive Plan.
- ✓ Direct access to county road, including driveways, must be obtained a County Highway Driveway permit.
- ✓ Be at least one (1) acre per parcel.
- ✓ Be able to meet all set back requirements.
- ✓ More than three (3) parcels or homes shall be considered a subdivision and a zoning map amendment and approval from Power Counties Planning and Zoning Board is required.
- ✓ When building in agricultural zones a recorded resource management easement must be signed.

Sometimes required:

- ✓ Should be less productive crop land.
- ✓ Slopes greater than fifteen percent (15%) must be 5 acre splits.
- ✓ Groundwater vulnerability or slopes from eight (8) through fifteen (15%) percent need two point five (2.5) acres & engineered plans.
- ✓ Meet health department requirements, well, septic, etc.
- ✓ Utilities must be accessible.

Things to remember:

- ✓ On agricultural ground, an owner may sell or have one single family residence per one hundred sixty (160) acres of non-irrigated land and one single family residence per eighty (80) acres irrigated land, but no more than three splits will be allowed without going through the subdivision process. The residences may be spread out or concentrated as long as they all have direct access to a county road.
- ✓ If a parcel existed before June 11, 1995, you are allowed only one split as long as the parcel is at least 2 acres. Power County minimum parcel is one (1) acre.