

ORDINANCE NO. 09-02

AN ORDINANCE OF CARIBOU COUNTY, IDAHO, AMENDING SECTIONS 8.2 AND 8.3 OF THE CARIBOU COUNTY ZONING ORDINANCE TO ESTABLISH SETBACK REQUIREMENTS, AND VISIBILITY RESTRICTIONS AT INTERSECTIONS AND ESTABLISHING ROADWAY PARKING RESTRICTIONS FOR THE CARIBOU BLUE LANDING AND BLACKFOOT HARBOR SUBDIVISIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; WAIVING THE RULE THAT THIS ORDINANCE BE READ ON THREE SEPARATE OCCASIONS; AND ESTABLISHING AN EFFECTIVE DATE OF THIS ORDINANCE.

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

**Section 1:** PURPOSE: The Caribou Blue Landing Subdivision as recorded in the office of the County Recorder of Caribou County, Idaho, on June 17, 1971, under Instrument No. 71394, and the Blackfoot Harbor Subdivision, as recorded in the office of the County Recorder of Caribou County, Idaho, on April 4, 1980, under Instrument No. 105347, contain lots which were designed and approved for recreational vehicles, mobile homes, and small housing units. With the passage of time, property owners desire to construct larger homes on lots which cannot be constructed due to setback limitations. This Ordinance is intended to adjust setback requirements for lots within said Subdivisions in order to allow larger structures to be built, to prohibit the parking of vehicles on roads, and to establish visibility restrictions at intersections within said subdivisions.

**Section 2:** Section 8.2, Zoning Ordinance of Caribou County, Idaho, is hereby amended to add new subsections thereto as follows:

### **8.2 SETBACK REQUIREMENTS**

8.2.1 All buildings and structures within the Caribou Blue Landing Subdivision and the Blackfoot Harbor Subdivision located in Caribou County, Idaho, shall be located and set back a minimum distance of twenty-five (25) feet from the edge of a surveyed road right-of-way measured at right angles from the road right-of-way. When the true edge of the road right-of-way is unsurveyed or cannot otherwise be determined, the building or structure shall be located a distance of twenty-five (25) feet from the edge of the road plus one-half of the width of the road right-of-way. All buildings and structures located

within said subdivisions shall also be set back a minimum distance of five (5) feet from any side property line and ten (10) feet from any rear property line. If any lot adjoins the Blackfoot Reservoir or Dike Lake, the setback shall be not less than ten (10) feet from the high water line of the body of water on which the lot is located. Owners, occupants, and applicants for building permits within said subdivisions shall comply with all federal, state, and local laws or ordinances in the construction or placement of any structure upon their property.

- 8.2.2 All buildings or structures located within the Caribou Blue Landing and Blackfoot Harbor Subdivisions shall comply with the minimum setback requirements of the Southeastern District Health Department. In addition thereto, if either of said subdivisions is subject to restrictive covenants which require greater setbacks than that required by this ordinance, the applicant for a building permit shall comply with the setback requirements of said restrictive covenants.

**Section 3:** Section 8.3, Zoning Ordinance of Caribou County, Idaho, is amended to add the following subsection thereto:

### **8.3 VISIBILITY**

- 8.3.1 For the Caribou Blue Landing and Blackfoot Harbor Subdivisions, that area included within a triangle with two legs each being the roadway right-of-way line for fifty (50) feet back from the point of intersection of two intersecting right-of-way lines and third leg the line connecting the points on the roadway right-of-way lines fifty (50) feet from the point of intersection of the two intersecting right-of-way lines. Within the site set back triangle no visual obstruction shall be erected, placed, planted, allowed to grow or allowed to remain over a height of two and one half (2½) feet.

**Section 4:** ROADWAY PARKING RESTRICTIONS: For safety of subdivision occupants, for motorists, and to facilitate winter and summer maintenance of roads within the Caribou Blue Landing and Blackfoot Harbor Subdivisions and the ability of emergency service to access said subdivisions, no vehicles, trailers, recreational vehicles, boats, or other type of vehicle or obstruction shall be placed, parked, stored, or permitted to remain on any road right-of-way within said subdivisions.

**Section 5:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 6:** The rule requiring that this Ordinance be read on three separate occasions is hereby waived.

**Section 7:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
CARIBOU COUNTY, IDAHO, THIS 20 DAY OF April, 2009.

BOARD OF COUNTY COMMISSIONERS  
CARIBOU COUNTY, IDAHO

By: Lloyd Rasmussen  
Lloyd Rasmussen, Chairman

ATTEST:

Veda Mascarenas  
Veda Mascarenas, County Clerk