



BOISE COUNTY

RESOLUTION #2012-21

A BOISE COUNTY RESOLUTION TO ESTABLISH A MORATORIUM FOR FAMILY SPLITS UNDER THE BOISE COUNTY SUBDIVISION ORDINANCE 2006-02

WHEREAS, Chapter 2, Section (1)(R)(9) of the Subdivision Ordinance 2006-02, exempts a split of land into no more than 4 parcels to immediate family members from the definition of subdivision and requirement of the subdivision process; and

WHEREAS, the spirit of this exemption to allow a family to split their land and give it to a family member is no longer being followed; and

WHEREAS, this exemption process has begun being used as a way to circumvent the formal minor and full subdivision process; and

WHEREAS, the gap in the ordinance is causing land within Boise County to be divided without following the procedure and allowing for a complete review process by the county and other health and safety agencies, including the fire department and Central District Health Department; and

WHEREAS, the Board of County Commissioners believes this is not in the best interest of the County and its residents to continue to process family split exemptions; and

WHEREAS, Idaho Code 67-6523 allows the Boise County Board of Commissioners to adopt a moratorium, not to exceed one hundred, eighty-two (182) days, if such Commission finds that an imminent peril to the public health, safety or welfare exists with the allowance of the family split exemption of the Boise County Subdivision Ordinance; and

WHEREAS, the Boise County Board of Commissioners finds that continuing the family split exemption process would cause imminent peril to the public health, safety or welfare of Boise County residents.

NOW THEREFORE BE IT RESOLVED that there shall be a moratorium on Chapter 2, Section (1)(R)(9) of the Subdivision Ordinance 2006-02 for a period of one hundred, eighty-two (182) days upon passage of this resolution.

BE IT FURTHER RESOLVED that the family split exemption shall no longer be provided under the Subdivision Ordinance.

APPROVED and **ADOPTED** in Open Session on the 18th day of June, 2012.

BOISE COUNTY BOARD OF COMMISSIONERS



ROBERT FRY, Chairman

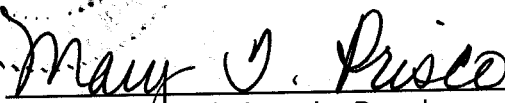


JAMIE A. ANDERSON, Commissioner



TERRY DAY, Commissioner





Mary Prisco, Clerk to the Board