

TO: Mayors of Marion County Cities
FROM: Marion County Board of County Commissioners / Planning
Department
DATE: October 20, 2005
RE: Possible Amendments to County Zoning and Subdivision
Regulations

INTRODUCTION

The Board of County Commissioners (BOCC) has asked the County Planning Commission to consider making changes to zoning and subdivision regulations that would increase the opportunities for property owners to develop Agricultural-zoned land for use as single-family residences. The BOCC has discussed several approaches to this matter with the Planning Commission. However, before the Planning Commission schedules public hearing on a specific proposal, the BOCC wanted to meet with mayors of cities in Marion County to talk about the concepts under consideration, and start getting input from the cities – as everyone understands that the County’s development rules have an impact on the growth and development in the cities.

ISSUE

Under the County’s current regulations, land zoned “A” Agricultural can have single-family residential use, but at a density at least 40 acres per residence. The great majority of the unincorporated land in the County is zoned “A”. Some cities have asked the BOCC to consider liberalizing the regulations to either create exceptions to the 40-acre rule, or allow higher densities. It is in response to those requests that the BOCC has asked the Planning Commission to study the situation and ultimately make recommendations on amendments.

PROPOSAL

The County is considering one set of amendments that would potentially affect any A-zoned property. The other proposed amendments would apply only to A-zoned land lying within one (1) mile of a city’s corporate limits. While both sets of amendments are described below, the County at this time needs the input of the mayors on the second proposal.

1. **Small-Lot Residential Development on Agricultural-Zoned Land.**

Farmstead Redevelopment. The A-district zoning regulations would be amended to allow single-family residential use, on lots as small as three (3) acres if that acreage contains the site of an existing residence, or if it once had a residence that is now gone, but no nonresidential use of the property has occurred since the time the house was removed. In order to help offset costs of improving and maintaining roads that will increase as a result of more small-lot residential development, other amendments the County is considering would impose a road assessment on small lots created along non-RS roads. Lots on graveled, non-RS roads would be assessed \$500, and lots on dirt, non-RS roads would be assessed an amount between \$500 and \$3,000.

2. **Small-Lot Residential Development on Agricultural-Zoned Land Within One Mile of a City.**

Growth Area Development. The A-district zoning regulations would be amended to increase potential residential development of land lying within one mile of a city's corporate limits. The usual rule of one residence per 40 acres would not apply to A-zoned property within one mile of a city. Instead, density would be calculated on a "section basis", with a maximum of 16 residences allowed on a section. This works out to one residence for every 40 acres, which is the A-zone density requirement under the current regulations, however the important difference is that so long as the residential lot is at least three (3) acres, and the section does not already have 16 or more residences, single-family residential development can occur, even in the case of two, or three, or more 3-acre lots side-by-side. As in the case of the proposed "farmstead" exception, development under this exception for small lots would be subject to a road impact assessment when the property fronts non-RS roads.

If this change to the regulations is made, it will significantly increase the development opportunities for A-zoned property owners. Because this would be occurring right on the "doorsteps" of cities, the BOCC needs to know whether the cities view this as a positive proposal. We understand that a city may be concerned about the possibility of being hemmed-in by low-density residential development that might inhibit future development of subdivisions, or be an obstacle to nonresidential development. The BOCC does not intend to apply this proposed regulation where it is not wanted. The objective is to promote development, not to obstruct it. The County can apply a regulation such as this around those cities where it would have positive effects, and not apply it elsewhere.