

## Chapter 16.04 – General Provisions

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### 16.04.010 Purpose.

In order to promote the health, safety and general welfare of present and future residents, and to bring about a coordinated and efficient and harmonious development of the City, the following regulations for the subdividing of land within the City are adopted.

### 16.04.020 Applicability.

- A. The regulations codified in this Title shall apply to all subdivisions within the corporate limits of the City or within the Area of City Impact as established by ordinance, including the following:
1. The dividing of any lot, tract or parcel of land into two (2) or more tracts, lots or parcels for transfer of ownership or building development.
  2. The dedication of any street or alley through or along any tract of land;
  3. Any division or resubdivision of a lot or parcel into sublots except as provided in subsection B of this Section.
- B. The regulations codified in this Title shall not apply to any of the following:
1. A readjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width or depth of each building site below the minimum prescribed by any City ordinance or any covenant pertaining to said plat nor create any new lots;
  2. A Record of Survey Plat that conforms to Idaho Code Title 55, Chapter 19 shall be required for any readjustment of lot lines. Such Record of Survey shall be filed both with the Butte County Recorder and the City of Arco. The following shall be included on the Record of Survey Plat: Certificate of Owners and Acknowledgement, Certificate of Surveyor, Certificate of City Engineer and Certificate of the Arco County Recorder. The Record of Survey plat shall also contain the original lot line(s), the new lot lines, the square footage of the adjusted lots, correct street names, all existing building(s) to be delineated and dimensioned, a note giving the zone standard in effect for the area or as specifically approved. The readjustment of lot line(s) shall not reduce the building site below the minimum prescribed by any City Ordinance or as specifically approved, nor violate setback requirements. The plat shall also contain all existing easements of record. Accompanying the plat shall be a new property description of each adjusted lot. New property pins shall be set for each adjusted lot. The City Engineer shall verify compliance with this section prior to certification.

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3. A division of land into parcels of five (5) acres or more designated to be used solely for agricultural purposes, and which does not involve any new street dedication other than dedications widening existing streets;
4. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property thereunder. Provided however, that any development of any lands divided as a result of the settlement of an estate of a decedent or a court decree for the distribution of property shall conform to all requirements of this Code.
5. An unwilling sale of land as a result of legal condemnation as initiated by a public body.
6. The exceptions contained in subsections B1, B2, B3 and B4 of this Section are from the review and approval requirements of the Code only. Plats must still be prepared in accordance with these regulations and filed with the County Recorder. A copy of any plat, amended plat or correction plat must also be provided to the City Engineer, City Clerk and or the City Building Official.