TWIN FALLS COUNTY — IDAHO | PLANNING & ZONING

Agricultural Zone (A): Land Divisions and Residential Building Rights

Understanding the difference between splitting land and building a home

Can an eligible Parent Parcel in the agricultural zone be divided into three parcels?

Yes, potentially.

Under County Code **§10-1-2**, a subdivision is generally defined as dividing an original parcel into more than three parts. An 80-acre parcel may potentially be divided into three separate parcels without being classified as a subdivision, subject to County requirements.

Can a house be built on each of the three parcels?

Not automatically.

County Code **§8-6B-2** allows one single-family dwelling for every 40 acres or more of contiguous land held under the same ownership. Creating additional parcels does not automatically create additional residential building rights.

EXAMPLE: Dividing an 80-Acre Parcel



Can a house be built without a Conditional Use Permit (CUP)?

Parcel 1 – 20 acres:	**No**
Parcel 2 – 20 acres:	**No**
Parcel 3 – 40 acres:	**Yes,** *potentially*

Can someone build a home on a parcel smaller than 40 acres?

Possibly, with a Conditional Use Permit (CUP).

County Code **§8-6B-3** allows dwelling sites to be approved as a conditional use. A CUP is not guaranteed and must be reviewed and approved by the Planning & Zoning Commission based on applicable standards.

Why does the County regulate this?

County Code **§8-6B-1** explains that the Agricultural Zone is intended to protect agricultural land while allowing limited residential development. The code establishes a potential residential density of one dwelling per 40 acres and discourages residential subdivisions in agricultural areas.

Other requirements before a house can be built:

- Legal access and applicable road requirements
- Approval for wastewater disposal and adequate domestic water
- Required building setbacks
- Applicable zoning, building, and overlay district requirements
- Any required nuisance waiver relating to existing agricultural operations

THE BOTTOM LINE

A legal land split does not automatically create the right to build a home.

In the Agricultural (A) Zone, a home is principally permitted based on one dwelling per 40 acres, with the option to seek approval for additional dwelling sites through a Conditional Use Permit.

APPLICABLE TWIN FALLS COUNTY CODE REFERENCES

Title 10 – Subdivisions: §10-1-2

Title 8 – Zoning (Agricultural Zone): §8-6B-1, §8-6B-2, §8-6B-3, §8-6B-4, §8-6B-5