



Jefferson COUNTY PLANNING AND ZONING

Understanding of AG Building Exemption Policy

This policy has been written pursuant to (Idaho Code) I.C. 39-4116 Subsection 5, and I.C. 63-604, as well as the 2018 IBC (International Building Codes) Section 202 and Appendix C101.1.

- 1.) An agricultural Building is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products, including but not limited to the following:
 - Livestock shelters or buildings, including shade structures and milking barns for personal consumption.
 - Poultry buildings or shelters.
 - Barns
 - Storage and maintenance structures for equipment and machinery used **exclusively** in agricultural operations.
 - Horticultural structures, including detached production greenhouses and crop protection shelters.
 - Sheds used as part of an agricultural operation.
 - Grain silos.
 - Stables (Not used to board outside animals for a profit).
 - Any other structure designed, constructed and intended to house, accommodate, or store farm implements, hay, grain, poultry, livestock or other horticultural products
- 2.) These structures shall not be used for a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.
 - a. A place of human habitation, which means a space in a building for living, sleeping, or cooking.
 - b. Structures with bathrooms, shower rooms, break rooms, locker rooms storage or utility space or other similar areas are not considered places of human habitation.
- 3.) The parcel upon which the exemption is sought must be an agricultural unit of land of more than five (5) contiguous acres. Aggregation of acreage may be allowed (several things grouped together or considered a whole).
- 4.) The agriculturally exempt structure must be utilized for a qualified agricultural use and shall not be converted to any alternate uses unless a conversion permit is issued, and the structure is brought into compliance with the current building code, before an occupancy permit may be issued. The structure shall not be rented out or used for commercial purposes.
- 5.) No RV's (Boats, campers, motor homes, etc.) will be stored in the structure.
- 6.) The structure will require an Ag Exempt Building Permit and must comply with all required setbacks. The structure shall receive a layout inspection and a final inspection to verify setbacks and completion of the project.
- 7.) An agricultural structure shall be allowed in all agricultural zones and Residential Five (R-5). An agricultural structure is not allowed in other zones, unless the agricultural use is established prior to October 25, 2010.
- 8.) The structure must be physically located on the agriculturally used property.
- 9.) Ag exempt structures may be exempt from adopted building standards, but must be constructed with building materials adequate for the Improvement's purpose and the area's climate.
- 10.) All agriculturally exempt structures shall also be exempt from impact fees.
- 11.) If the agricultural exempt property is being leased or rented an affidavit from the property owner shall be turned into the Planning and Zoning Office before an Ag exempt application will be accepted.
- 12.) The cost of an agricultural exempt/zoning permit shall be no more than \$250.00 total.

In connection with new construction for an Ag Exempt Building on real property owned by me in Jefferson County, Idaho I _____ (hereinafter, the "Affiant") hereby swear or affirm, under penalty of perjury, to the following:

1. That I am the owner of parcel _____, located in Jefferson County, Idaho (“the Real Property”).
2. I plan to construct or otherwise have erected on the Real Property certain structure(s) (the “Improvement”), described as follows: _____.
3. That the Improvement will be constructed and shall be used as an Ag Exempt Building as defined above and in and is therefore required to conform with the requirements of Idaho Code § 39-4116 Subsection 5 and I.C. 63-604, as well as the 2018 IBC (International Building Codes) Section 202 and Appendix C101.1 to be entitled to the exemption enumerated therein.
4. I understand that this use will be monitored by the Jefferson County Planning, Zoning and Building Department. I agree that the Jefferson County Planning, Zoning and Building Department shall have unfettered access to conduct random periodic inspections to ensure no changes to the use have been made, with or without prior notice to the owner of the Real Property.
5. I agree that this Affidavit of Agricultural Use shall be recorded with the Clerk of Jefferson County to inform possible future buyers of the legal status of the Improvement.
6. Should the nature of my use of the Improvement change, I shall notify the Jefferson County Planning, Zoning & Building Department and may be required at such point to obtain a building permit and comply with the Jefferson County Building Codes.

I, _____, hereby swear or affirm to the foregoing statements as being true and correct to the best of my knowledge, information and belief.

BY: _____
Signature of Affiant

Date: _____

(Print name)

STATE OF IDAHO)

) ss.

County of Jefferson)

This record was signed and sworn before me on _____ by _____.
Print name of Affiant

Affix seal/stamp as close to signature as possible

Notary Signature