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17.12.010 Generally.

Words not defined herein shall be given the meaning ordinarily applied to such words. (Prior code §4-4-2 (part))

17.12.020 Accessory Building or Use.

“Accessory building or use” means a subordinate building or use which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such building or to the main use. (Prior code §4-4-2 (part))

17.12.030 Acreage.

"Acreage" means any tract or parcel of land that has not been subdivided or platted. (Prior code §4-4-2 (part))

17.12.035 Agriculture.

"Agriculture" means tilling of soil, horticulture, raising crops, livestock, dairying, including all uses customarily accessory and incidental thereto; but excluding slaughterhouses, and concentrated animal feeding operations (CAFO's).

17.12.040 Alley.

"Alley" means a street or way shown on the official plat of the municipality or its additions and designated thereon as an alley. (Prior code §4-4-2 (part)).

17.12.045 Animal Hospital.

"Animal hospital" means any building or portion thereof designed or used for the care or treatment of cats, dogs or other animals.

17.12.050 Apartment.

"Apartment" means a room or suite of rooms in a multiple-family structure, which is arranged, designed used or intended to be used as a housekeeping unit for a single family. (Prior code §4-4-2 (part)).

17.12.060 Automobile.

"Automobile" means a passenger vehicle. (Prior code §4-4-2 (part)).

17.12.070 Automobile Repair.

“Automobile repair” means general repair, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame or fender straightening and repair; and overall painting of motor vehicles. (Prior code §4-4-2 (part)).

17.12.080 Automobile Service Station.

"Automobile service station" means an establishment where automotive fuels and lubricants, accessories and services are sold at retail; however, where the sale of such is only incidental the establishment or premises shall be classified as a public garage. (Prior code §4-4-2 (part)).

17.12.090 Auto Wrecking or Junkyard.

"Auto wrecking" or "junkyard" means any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation; any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof and including any farm vehicles or farm machinery or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging and scavenging of any other goods, articles or merchandise. (Prior code §4-4-2(part)).

17.12.100 Basement.

"Basement" means a story partly or wholly underground. Where more than one-half of its height is above the average level of the adjoining ground, a basement shall be counted as a story for the purpose of height measurement. (Prior code §4-4-2 (part)).

17.12.105 Bed and Breakfast.

"Bed and Breakfast" means a professionally run facility providing up to 16 rooms for temporary overnight accommodations, and where the owner-innkeeper is resident on the property. A Bed and Breakfast provides breakfast for overnight guests, but does not provide a restaurant and/or bar. Exterior signage must conform to sign ordinances of that zone and area.

17.12.110 Billboard.

"Billboard" means any structure or portion thereof upon which are placed signs or advertisements used as an outdoor display. This definition does not include any bulletin boards used to display official court or public office notices, or a sign advertising the sale or lease of the premises on which the sign is located. (Prior code §4-4-2 (part)).

17.12.120 Boardinghouse.

"Boardinghouse" means a building other than a hotel or restaurant, where meals are provided for compensation for four or more persons, but not exceeding twelve persons. (Prior code §4-4-2(part)).

17.12.130 Building.

"Building" means any structure having a roof supported by columns or walls, and designed or intended for the shelter, support, enclosure or protection of persons, animals or chattels. See also "Structure." (Prior code §4-4-2(part)).

17.12.140 Building Area.

"Building area." The buildable area of a lot is the space remaining after adherence to the minimum open space requirements of this title. (Prior code §4-4-2 (part)).

17.12.150 Building Height.

"Building height" means the vertical distances measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof in the case of a flat roof, to the deck line of a mansard roof, and to mean height level between eaves and ridge of a gable, hip or gambrel roof; provided, that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building. (Prior code §4-4-2 (part)).

17.12.160 Building Line.

"Building line." For the purpose of this title, the building line is the same as a front yard setback line. (Prior code §4-4-2 (part)).

17.12.170 Carport.

"Carport" means a structure attached to or made a part of the main structure, which is open to the weather on at least two sides, intended for the use of sheltering not more than two motor-driven vehicles. (Prior code §4-4-2 (part)).

17.12.175 Commission.

"Commission" means the Planning/Zoning Commission of the City. The planning commission is declared to also be the zoning commission of the City.

17.12.180 Conditional Uses.

"Conditional uses are uses that may be permitted in a zone with conditions attached in accordance with Chapter 17.46 "Conditional Use Permits.

17.12.190 Court.

"Court" means an open unoccupied space, other than a yard, on the same lot with a building and bounded on two or more sides by such building. (Prior code §4-4-2(part)).

17.12.200 Curb Grade.

"Curb grade" means the established elevation of the curb measured at the center of the front of a building. Where no curb grade has been established, the municipality shall establish such curb level or its equivalent for the purpose of this title. (Prior code §4-4-2(part)).

17.12.210 District.

"District" means a section or sections of the incorporated area of the municipality for which the regulations and provisions governing the use of buildings and land are uniform for each class of use permitted therein. (Prior code §4-4-2(part)).

17.12.215 Drive-in Establishment.

"Drive-in establishment" means an establishment, other than an automobile service station, which is designed to accommodate the motor vehicles of patrons in such manner as to permit the occupants of such vehicles, while remaining therein, to make purchase or receive services.

17.12.220 Dwelling.

"Dwelling" means a building or portion thereof, but not a recreational vehicle, designed exclusively for residential occupancy, including one-family, two-family and multiple-family dwellings, but not including hotels, boarding and lodging houses. (Prior code §4-4-2 (part)).

17.12.230 Dwelling, Multiple.

"Multiple dwelling" means a building or portion thereof designed for occupancy by three or more families living independently of each other. (Prior code §4-4-2 (part)).

17.12.240 Dwelling, One-family.

"One-family dwelling" means a detached building designed exclusively for occupancy by one family. (Prior code §4-4-2 (part)).

17.12.250 Dwelling, Row.

"Row dwelling" means a row of three to six attached one-family dwellings, not more than two and one-half stories in height, nor more than two rooms deep also known as a townhouse. (Prior code §4-4-2 (part)).

17.12.260 Dwelling, Two-family.

"Two-family dwelling" means a building designed exclusively for occupancy by two families living independently of each other. (Prior code §4-4-2 (part)).

17.12.270 Dwelling Unit.

"Dwelling unit" means one or more rooms in a dwelling or apartment hotel designed primarily for occupancy by one family for living or sleeping purposes. (Prior code §4-4-2 (part)).

17.12.290 Frontage.

"Frontage" means all property on one side of a street between two intersecting streets or natural barriers. (Prior code §4-4-2 (part)).

17.12.300 Garage, Private.

"Private garage" means an accessory building for the storage of not more than three motor-driven vehicles of which not more than one shall be a commercial vehicle of not more than two-ton capacity. (Prior code §4-4-2(part)).

17.12.310 Garage, Public.

"Public garage" means a building other than a private garage used for the care, repair or equipment of automobiles, or for vehicles parked or stored for remuneration, hire or sale. (Prior code §4-4-2 (part)).

17.12.320 Established Grade.

"Established grade" means the sidewalk line grade at the front lot line as established by the engineer. (Prior code §4-4-2 (part)).

17.12.330 Guest House.

"Guest house" means a structure for human habitation, containing one or more rooms with bath and toilet facilities, but not including a kitchen or facilities that would provide a complete housekeeping unit. (Prior code §4-4-2 (part)).

17.12.340 Home occupation.

"Home occupation" means any use customarily conducted entirely within the dwelling and carried on by the inhabitants thereof, that meets the conditions as stated in Chapter 17.58.160.

17.12.350 Hospital or Sanitarium.

"Hospital" or "sanitarium" means an institution open to the public, in which sick patients or injured persons are given medical or surgical care, or for the care of contagious diseases or incurable patients. (Prior code §4-4-2(part)).

17.12.360 Hotel.

"Hotel" means a building designed for occupancy as the more or less temporary abiding place of individuals who are lodged with or without meals, in which are six or more guest rooms, and in which no provisions are made for cooking in any individual room or suite. (Prior code §4-4-2(part)).

17.12.370 Institution.

"Institution" means a building occupied by a nonprofit corporation or nonprofit establishment for public or semipublic use. (Prior code §4-4-2 (part)).

17.12.380 Kennel.

"Kennel" means any lot or premises, on which four or more dogs, at least four months of age, are kept. (Prior code §4-4-2(part)).

17.12.390 Laboratory.

"Laboratory" means a place devoted to experimental study such as testing and analyzing. Manufacturing of a product or products is not to be permitted within this definition. (Prior code §4-4-2 (part)).

17.12.400 Loading Space.

"Loading space" means an off-street space or area on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access. (Prior code §4-4-2 (part)).

17.12.410 Lodging House.

"Lodging house" means a building with not more than five quest rooms where lodging is provided for compensation pursuant to previous arrangement, but not open to the public or transients. (Prior code §4-4-2 (part)).

17.12.420 Lot.

"Lot" means a parcel or plot of land occupied or suitable for occupancy by one main building or use, with accessory buildings, including the open spaces required by this title, and having its principal frontage upon a public street or highway. The word "lot" includes the word "plot." (Prior code §4-4-2(part)).

17.12.430 Lot, Corner.

"Corner lot" means a lot situated at the intersection of two or more streets. (Prior code §4-4-2(part)).

17.12.440 Lot Depth.

"Lot depth" means the horizontal distance between the front and rear lot lines. (Prior code §4-4-2(part)).

17.12.450 Lot Frontage.

“Lot frontage.” The front of a lot shall be that boundary of a lot along a public street, and for a corner lot the front shall be the shorter lot boundary along a street. (Prior code §4-4-2(part)).

17.12.460 Lot, Interior.

"Interior lot" means a lot other than a corner lot. (Prior code §4-4-2 (part)).

17.12.470 Lot, Reversed Corner.

"Reversed corner lot" means a corner lot the rear of which abuts upon the side of another lot whether across an alley or not. (Prior code §4-4-2 (part)).

17.12.480 Lot Width.

"Lot width" means the horizontal distance between the side lot lines. (Prior code §4-4-2(part)).

17.12.485 Manufactured Home.

"Manufactured Home" means a structure, constructed according to the HUD/FHA manufactured/mobile home construction and safety standards, built after July 1, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 U.S.C. 5401 et seq. A manufactured home must meet the siting conditions as specified below as well as the Performance Standards listed in 19-23.

- A. Shall be at least twenty-four feet (24') wide, with a minimum floor area of nine hundred sixty (960) square feet.
- B. Shall have a metallic, wood shake or asphalt shingle roof with a minimum slope of 3/12 and a minimum six-inch (6") eave.
- C. Shall have a horizontal aluminum, simulated wood or wood siding.
- D. Shall have a foundation fascia that is similar in appearance and durability to the masonry foundation of site built dwellings and which surrounds the entire perimeter of the structure and completely encloses the space between the siding and the finished grade.
- E. Shall be permanently affixed and set upon a foundation base having an anchoring system that is totally concealed under the structure. The running gear and towing hitch shall be removed.
- F. Shall obtain a building permit from the County Building Inspector to insure that the manufactured home is placed on site to H.U.D. Standards set forth in circular Letter No. 2 83, dated April 8, 1983, or as later amended, published by the Boise Service Office of H.U.D.

regulating the perimeter foundation, the anchoring of the structure to its foundation and other building requirements.

G. Shall meet all other State of Idaho requirements.

17.12.486 Manufactured Home Park.

"Manufactured home park" means any area, tract, plot, or site of land, whereupon two or more manufactured homes are placed, located and maintained for dwelling purposes on a permanent or semi-permanent basis and for which a fee, rental or contract for payment for such use is collected by or collectable to the person holding the land.

17.12.487 Mobile Home.

"Mobile home" is a detached single-family dwelling, designed to be transported after fabrication on its own wheels, flatbed or detached wheels, arriving at the site where it is to be occupied as a dwelling complete, after location on permanent foundation support on its chassis frame, and hooked to all utilities as any built on-site house would be, as set out in 5.28.070, Section F of the Uniform Building Code. No mobile home may be placed on a single-family lot within the City after the effective date of this ordinance unless it meets the rehabilitation standard as specified in Title 44 of the Idaho Code and also meets the siting standards of a manufactured home as stated above. Mobile homes do not include recreational vehicles.

17.12.488 Motel.

"Motel" means a group of attached or detached buildings, including auto courts, motels or motor lodges, containing individual sleeping or living units, designed for or used by tourists or transients, with garage attached to or parking space conveniently located by each unit. (Prior code §4-4-2(part))

17.12.490 Nonconforming Use.

"Nonconforming use" means any building, structure or land lawfully occupied by a use or lawfully situated which does not conform to the regulations of this title. (Prior code §4-4-2 (part)).

17.12.500 Nursing Home or Rest Home.

"Nursing home" or "rest home" means a private hospital for the care of children, the aged or infirm, or a place of rest for those suffering bodily disorders, but not including facilities for the treatment of sickness or injuries, or for surgical care. (Prior code §4-4-2 (part))

17.12.505 Occupancy.

"Occupancy" shall mean that no residential dwelling shall be occupied by more than two adult persons per habitable room. A habitable room shall include all rooms in the home with the exception of hallways and bathrooms.

17.12.510 Parking Area, Private.

"Private parking area" means an open area for the parking of privately-owned automobiles and not for public use. (Prior code §4-4-2(part))

17.12.520 Parking Area, Public.

"Public parking area" means an open area, other than street, used for the temporary parking of more than four automobiles and available for public use whether free, for compensation or as an accommodation for clients or customers. (Prior code §4-4-2(part)).

17.12.530 Parking Space.

"Parking space" means an area, enclosed or unenclosed, which has adequate access to a public street or alley, sufficient in size to store one automobile. (Prior code §4-4-2(part))

17.12.540 Porch.

"Porch" means a roofed entrance to a building, projecting out from the wall or walls of the main structure and commonly open in part to the weather. (Prior code §4-4-2(part))

17.12.545 Recreational Vehicle or Travel Trailer.

A vehicular type unit designed as temporary dwelling for recreational, camping or travel use which is either self-propelled, self-contained, or mounted on or drawn by another vehicle; including all recreational vehicles, camping trailers, truck campers, and motor homes.

17.12.546 Recreational Vehicle/Travel Trailer Park.

Rental space for travel trailers on a limited basis, generally overnight but normally not longer than four months. This may include motor homes and pickup campers.

17.12.550 Signs, Outdoor Advertising.

"Outdoor advertising signs" means a sign of any type or material, installed any place for outdoor advertising purposes. (Prior code §4-4-2 (part))

17.12.560 Story.

"Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above. (Prior code §4-4-2 (part))

17.12.570 Structural Alterations.

"Structural alterations" means any change which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders. (Prior code §4-4-2(part))

17.12.580 Structure.

"Structure" means anything constructed or erected, either on the ground or on something having location on the ground. The word "structure" includes the word "building." (Prior code §4-4-2(part)).

17.12.590 Terrace, Open.

"Open terrace" means a level and rather narrow plain or platform, which for purposes of this title is located adjacent to one or more faces of the main structure and which is constructed not more than four feet in height above the average level of the adjoining ground. (Prior code §4-4-2(part))

17.12.640 Use.

"Use" means the purpose for which land or a building is intended, designed, arranged or maintained. (Prior code §4-4-2(part))

17.12.645 Variance.

"Variance" means a modification of the requirements of this title as to bulk, placement requirements, lot size, lot coverage, width, depth, front yard, side yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

17.12.650 Yard.

"Yard" means an open space, unoccupied and unobstructed from the ground upward, on the same lot with a main building except as otherwise provided in this title. (Prior code §4-4-2(part)).

17.12.660 Yard, Front.

"Front yard" means a yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the building. (Prior code §4-4-2(part)).

17.12.670 Yard, Rear.

"Rear yard" means a yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building. (Prior code §4-4-2(part)).

17.12.680 Yard, Side.

"Side yard" means that part of the yard lying between the main building and a side lot line, and extending from the required front yard (or from the front lot line, if there is no required front yard) to the required rear yard. (Prior code §4-4-2(part)).body, frame or fender straightening and repair; and overall painting of motor vehicles. (Prior code §4-4-2 (part)).