

CHAPTER 2 DEFINITIONS OF TERMS

2-1. GENERAL TERMS

For the purposes of this Ordinance, certain terms or words used herein are defined and interpreted as follows:

- A. The word “person” includes a firm, association, organization, partnership, trust, company, corporation, or individual.
- B. The present tense includes the future tense; the singular includes the plural; and the plural includes the singular.
- C. The words “shall” and “must” indicate mandatory requirements; the word “may” indicates an optional requirement; and the word “should” indicates a preferred requirement.
- D. The words “used” and “occupied” include the words “intended”, “designed”, “arranged to be used”, or “occupied”.
- E. The term “erected” means “constructed”, “altered”, “moved”, or “repaired”.
- F. The term “Administrator” is synonymous with the term “Planning and Zoning Administrator”.

2-2. DEFINITIONS

ACCESSORY BUILDING

A secondary building, the use of which is incidental, but similar, to that of the principal building, and which is located on the same plot, and which has a permitted use for the particular zone in which it is located.

ACCESSORY EASEMENT

A limited use easement across two or more adjacent properties which allows occasional vehicular access to otherwise inaccessible areas by either property owner at any time.

ACCESSORY USE

The use of land or all, or any part, of a building which is accessory to, or incidental to, the principal, authorized use of the premises. Such accessory uses ordinarily do not require permits.

ADMINISTRATOR

The Jerome County Planning and Zoning Administrator.

AGENCY

The local, state or federal governmental entity, department, office, or administrative unit responsible for carrying out regulations

AGRICULTURAL LAND A-1

The requirements of this Ordinance shall not be construed so as to deprive the owner of agricultural land of the full and complete use of said land for the production of any agricultural products.

AGRICULTURAL PRODUCT

Any food or fiber produced by an activity usually considered to be an agricultural endeavor as indicated in the definition of "AGRICULTURE" in this chapter of this Ordinance.

AGRICULTURE

Tilling of soil, horticulture, floriculture, forestry, fisheries, viticulture, raising crops, livestock, farming, dairying, livestock confinement operations and animal husbandry including all activities customarily accessory and incidental thereto. The definition excludes slaughterhouses, fertilizer works and bone yards. Retail sales on the premises of goods and products raised on the premises shall also be considered as being within the definition of agriculture.

AGRICULTURAL PRODUCT TRANSFER POINT

A storage area not part of a specific farm or farming operation where plant based agricultural products from one or more sources are taken for the sole purpose of being stored pending further transferal, by way of truck, train, or other forms of transportation.

AIRCRAFT MAINTENANCE, REPAIR

Repair, replacement and refurbishment of aircraft, aircraft engines and aircraft systems in compliance with Federal Aviation regulations.

AIRFIELD, PRIVATE

Any runway, any area, or other facility used privately for the landing and taking-off aircraft, including all accessory taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings.

AIRPORT

Any runway, any area, or other facility used publicly and/or commercially for the landing and taking-off of aircraft, including all accessory taxiways, aircraft storage and tie down areas, hangars, and other necessary buildings.

AIRCRAFT REBUILDING

Rebuilding, restoration and major alterations of aircraft, aircraft engines and aircraft systems in compliance with Federal Aviation regulations.

ALCOHOL AND DRUG REHABILITATION FACILITY

Those facilities for the residential and/or outpatient treatment of substance abuse as a rehabilitation service for the treatment of adults or adolescents, NOT both in the same facility. Coed programs will require separate physical structures, allowing these facilities in A-2 Agriculture and Commercial General Zones.

ANIMAL CLINIC OR VETERINARY OFFICE

Any building, or portion thereof, which is designed or used for the care and treatment of cats, dogs, sheep, cattle, horses, or other animals in which clipping, bathing, boarding, and other veterinary services are rendered to animals and pets.

ANIMAL CONFINEMENT AREAS

Individual areas used for the specific purpose of animal confinement, such as, but not by way of limitation, corrals, pens, stalls, stables, barns, parlors, etc.

ANIMAL OPERATION

A commercial operation that involves the raising, housing and/or slaughtering of animals for the purpose of obtaining or processing certain animal product, such as but not by way of limitation, dairy, eggs, meat, fur, or other like products, and includes among other things, all coops, barns, pens, parlors, manure and liquid waste storage areas, and dead animal disposal areas used in conjunction with the operation and that are on the same site. Adjacent sites under common ownership are considered the same site or same facility for purposes of this definition.

ANIMAL UNIT

A unit of measure wherein one animal unit is equal to:

1. One thousand (1000) pounds of Cervidae (elk, deer), Bovidae (cattle, bison, goats, sheep), Equidae (horses), Camelidae (llama, alpacas, camels), or any other kind of large animal livestock that is not specifically mentioned within this paragraph; or
2. Four hundred (400) pounds of Suidae (pigs, boar); or
3. Two hundred (200) pounds of poultry or other birds, mink, chinchilla, rabbit or any other small animal livestock not specifically mentioned within this paragraph.

Calculating an animal unit for a particular kind of livestock, the weight of such livestock is determined by tables of weights typical for that particular kind of animal. For purposes of this definition, large animal livestock is defined as any species of animal whose average weight at full growth is more than fifty (50) pounds; and small animal livestock as any species of animal whose average weight at full growth is fifty (50) pounds or less.

APARTMENT

A room, or suite of rooms, in a multiple family structure which is arranged, designed, or used as a single housekeeping unit, and which has complete kitchen facilities that are permanently installed.

APARTMENT HOUSE OR MULTI-FAMILY USE

Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to the occupant; or which is occupied as a home or residence by three or more families who live and cook independently of one another in the said building. This definition includes flats and apartments.

APPLICANT/APPELLANT

The person or entity seeking a decision from the Administrator or the Governing Body.

APPLICATION

The form(s) and all accompanying documents, exhibits and fees required of an applicant by the applicable department, Board or Commission of the county for development review, approval or permitting purposes.

APPURTENANCE

The visible, functional, or ornamental objects accessory to and part of a building.

ARCHEOLOGICAL SITE

The places where the implements, inscriptions, fossils, and other artifacts of the culture of a people are found.

AREA OF CITY IMPACT

The urbanized area surrounding a city which has been established by mutual agreement between the City and County in conformance with the laws of the State of Idaho.

AREA, BUILDABLE

The space within the setback lines which remains on a lot after the minimum open space requirements of this Ordinance have been satisfied.

AREA, PRIVATE PARKING

An open, graded space, other than a street or public way, which has been arranged and made available for the storage of private passenger automobiles or motor vehicles that are used by the occupants of the building for which the parking area is developed.

AREA, PUBLIC PARKING

An open space, other than a street or alley, which is used for the temporary parking of automobiles or other vehicles, and which is available for public use, not necessarily for compensation.

AREA, SETBACK

The space on a lot which is required to be left unoccupied by any structure as required by this Ordinance or by delineation on a recorded subdivision planned unit development map.

AREA OF SPECIAL FLOOD HAZARD

The land in the flood plain within a community subject to flooding one (1) or more times in one hundred (100) years.

AUTOMOBILE AND TRAILER SALES AREA

An open area of any street which is used for the display, sale, or rental of new or used automobiles, or new or used trailers; repair work is not performed in the area; and all vehicles are in operable condition at all times.

AUTOMOBILE WRECKING YARD

Any use of premises, except within a fully enclosed building, where more than two not-licensed motor vehicles which previously have not been the personal property of the owner and/or operator of the premises; which are not in operable condition; and which have been left standing for more than thirty (30) consecutive days; or where such used motor vehicles, or parts thereof, are dismantled and/or stored.

AUTOMOBILE, MOTOR VEHICLE OR EQUIPMENT REPAIR

The repair, rebuilding, or reconditioning of all types of motor vehicles or equipment including body work, service, painting, and steam cleaning of vehicles and equipment.

BAR

A commercial enterprise whose primary activity is the sale of alcoholic beverages to be consumed on the premises. Bars include nightclubs, private clubs, hotel lounges and similar facilities serving alcoholic liquor. This definition does not include restaurants where the principal business is preparation of food.

BASE FLOOD

The flood having a chance of occurring once in any one hundred (100) year period.

BASEMENT

The part of a building that is wholly or in part below ground level.

BELFRIES

Towers or steeples in which bells are intended to be hung.

BERM

A precautionary measure made by constructing an embankment, by excavation or combination thereof, to prevent runoff onto an adjacent property.

BEST MANAGEMENT PRACTICES (BMP'S)

A practice or combination of practices determined to be the most effective and practicable means of preventing or reducing the amount of pollution generated.

BICYCLE PATH

A public way or lane which is designed for use by pedestrians and not-motorized vehicles, and which is so designated.

BIOMASS

Plant material, used for the production of such things as fuel alcohol and non-chemical fertilizers. Biomass sources may be plants grown especially for that purpose or waste products from livestock, harvesting, milling, or from agricultural production or processing.

BLOCK

See Chapter 8

BOARD

The Board of County Commissioners of Jerome County, Idaho.

BOARDING HOUSE, INCLUDING LODGING HOUSE OR ROOMING HOUSE

See House, Boarding.

BONE YARD

A place where domestic animals are disposed of and/or their bones collected.

BOUNDARY LINE ADJUSTMENT

The adjusting of common property line(s) or boundaries between adjacent parcels where an equal or lesser number of parcels are created.

BOUNDARY LINE ADJUSTMENT PERMIT

See Permit, Boundary Line Adjustment

BRINK

Brink is the edge at the top of a steep place.

~~BUILDING~~

~~Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind. This definition does not include advertising signs.~~

BUILDING

An enclosed Structure built on a plot of land, having walls, roof, doors and usually windows, and often more than one level. Buildings are used for any of a wide variety of purposes, such as living, entertaining, retailing, manufacturing, etc.

BUILDING, ACCESSORY

A structure that is detached from the principal building that is located on the same lot, tract or parcel as the principal building, the use of which is incidental and secondary to that of the principal building or use.

BUILDING, AGRICULTURAL

A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be 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.

BUILDING, ASSEMBLY

A building, or portion thereof, which is used for the gathering together of persons for purposes of deliberation, worship, entertainment, amusement, or awaiting transportation; or for the gathering of persons in drinking and/or dining establishments.

BUILDING CARE CONTRACTING

A contractor specializing in home repairs and improvements such as remodeling, roofing, fencing, plastering, painting, tile, siding, doors and windows and which does not have any heavy equipment or extensive outside storage requirements.

BUILDING HEIGHT

The vertical distance from grade to the highest point of the coping of a flat roof, to the deck of a mansard roof, or to the average height of the highest gable of a pitched or hip roof.

BUILDING LINE

A line established by law or agreement which is usually parallel to a property line beyond which a building or structure may not extend.

BUILDING, MAIN OR PRINCIPAL

A building, other than an accessory building, whose use is authorized by this Ordinance for the district in which it is located.

BUILDING OFFICIAL

The officer or other authorized representative charged with the administration and enforcement of the Uniform Building Code and issuance of all building permits.

BUILDING PERMIT

An official document issued by the Building Official authorizing performance of a specified activity.

BUSINESS

The purchase, sale, exchange, or other transaction involving the handling or disposition of any article, substance or commodity for profit or livelihood; or the ownership or management of office buildings, offices, recreation or amusement enterprises; or the maintenance and use of office for professions and trades rendering services.

BUSINESS ASSOCIATES

Commercial establishment that primarily engages in rendering services to another business establishment for an individual on a fee or contract basis rather than the sale of goods. Services rendered that support a business establishment of individual on a fee or contract basis are limited to advertising, computer support, mailing and consulting.

CANNERY

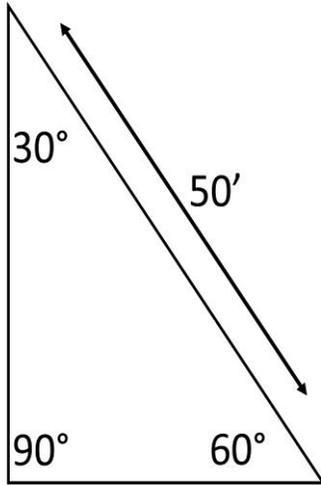
A place where the business of preserving foodstuffs such as meat, fruit, and vegetables in sealed containers is accomplished for business, profit, or as a cooperative effort.

CANYON

The Canyon is a geological structure consisting of a deep gorge with various brinks and plateaus resembling a staircase, with layers of harder rocks forming cliffs and layers of softer rock forming gentler slopes.

CANYON RIM

The Canyon Rim is the highest brink of a canyon which consists of a slope of 30 degrees or steeper for a distance of 50 feet or more. The location of the rim shall be determined before any excavation of grading preparatory to development.



CARPORT, DETACHED

A roofed structure completely surrounded by open space for the purpose of sheltering an automobile.

CARPORT, ATTACHED

A roofed structure having all or part of one wall structurally contiguous with the main building or the accessory building.

CEMETERY

Land used or reserved for the burial of the remains of humans and of animals; such land being appropriately dedicated for cemetery purposes, including crematoriums, mausoleums, and mortuaries; or land operated in connection with and/or within the boundaries of such cemetery where perpetual care and maintenance are provided.

CENTER, DAY CARE

See Day care Center.

CENTER, MEDICAL HEALTH

See Clinic.

CLINIC

A building, other than a hospital as herein defined, used by two or more physicians for the purpose of receiving and treating patients.

CLUB OR LODGE

The facilities used by an association of persons for the promotion of some common interest, such as literature, science, good fellowship, etc., and which periodically holds meetings which are limited to members and guests.

COMMERCIAL

An adjective meaning the exchange of things having value as occurs in buying and selling, but not necessarily producing a profit.

COMMERCIAL ENTERTAINMENT

Any activity which is generally related to the entertainment industry such as motion picture theatres, carnivals, nightclubs, cocktail lounges, and similar entertainment activities which receive compensation for those efforts.

COMMERCIAL LIVESTOCK TRUCK WASHING FACILITY

A facility(s) that charges a fee to wash livestock trucks and trailers

COMMERCIAL MEAT PACKING FACILITIES

Facilities for canning of meat, curing, smoking, salting, packing, and freezing of meat; or other establishments where meat products are processed for eventual sale to the general public, and where the inspection of meat, meat by-products, and meat food products is practiced.

COMMISSION

The Planning and Zoning Commission of the County of Jerome, Idaho, as appointed by the Board of County Commissioners.

COMMUNICATION FACILITIES

Such uses and structures as radio and television transmitting and receiving antennas, radar stations, cellular towers, telephone services and microwave towers.

COMMUNICATION UTILITY BUILDING(S) AND STRUCTURE(S)

A structure that is used for the transmission, transfer, or distribution of telephone, liquid propane gas, natural gas, internet or electrical services and related activities. This definition shall not be classified as a plant.

COMPOST

A stable, humus-like finished product resulting from the biological decomposition of organic materials that doesn't show any spike in temperature when remixed, smells earthy with no foul odors, and none of the initial materials can be identified.

COMPOSTING

The production of compost.

COMPOSTING, COMMERCIAL

The importing and/or compiling of waste matter for the manufacturing of compost as a commercial product.

COMPREHENSIVE PLAN

The plan, or any portion thereof, adopted by the Board which includes such things as the general location and extent of current and proposed physical facilities including housing, industrial and commercial uses, major transportation routes, parks, schools, and other community facilities in compliance with Idaho Code Section 67-6501 as it now exists and as it may hereafter be amended.

CONFINED ANIMALS

Animals that are confined in a corral, pen, or other area on a sustained basis, where feed is brought to the parcel, and where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosed/penned areas on the property during the course of a normal growing season.

CONFINED ANIMALS NOT REGULATED BY CHAPTER 13

Confined animals where the animal unit to total land ratio is not greater than two (2) units per one (1) acre, or seventy-five (75) units per parcel

CONTROLLED STRUCTURE

See Definitions, Chapter 13A.

CONSTRUCTION SERVICES

Any activities commonly referred to as construction shall include without limiting thereby, plumbing, heating, electrical, mechanical, roofing, remodeling, interior or exterior remodeling, excavating or concrete.

CONSTRUCTION TRADES

A trade that is engaged in the construction of buildings, either agricultural, residences or commercial structures as well as heavy construction contractors engaged in activities using heavy construction equipment.

CONTIGUOUS PROPERTIES

Properties sharing a property line by either touching at a point or sharing the same boundary. Properties are contiguous even if separated from each other by a public or private road or right-of-way. Properties connected only by easements, pipelines, waste systems and the like shall not be considered contiguous.

CONTRACTOR

A general contractor or builder engaged or providing construction services in the construction of buildings, agricultural, residences, commercial structures or excavation.

COUNCIL

The City Council of Jerome, Eden, or Hazelton, Idaho.

COUNTY

Jerome County, Idaho, and its governing Board.

CROP PRODUCTION

Agricultural field and orchard uses including production of: field crops, flowers and seeds, fruits, grains, melons, ornamental crops, tree nuts, trees and sod, vegetables. Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing, and sales in the field not involving a permanent structure.

CUPOLA

A small dome and the shaft that supports it; sits on top of a building.

DAIRY

An endeavor and/or operation devoted principally to the care and feeding of animals which produce milk for sale off the premises of the operation.

DAY CARE CENTER

A house or place providing care to a group of five (5) or more children for all or part of the twenty-four (24) hour day.

DEAD ANIMAL

See Definitions, Chapter 13.

DEVELOPMENT

A tract of land having necessary utilities such as water, electricity, and roads.

DISTRICT OR ZONE

An area of the unincorporated territory of Jerome County where certain regulations and requirements, or various continuations thereof, apply under provisions of this Ordinance.

DOMESTIC LIVESTOCK

Those fowl, cattle, dairy animals, swine, sheep, goats, and other animals which are kept or raised for use or for pleasure as part of the overall agricultural operation and which are not part of a commercial feedlot.

DRIVE-IN ESTABLISHMENT

An establishment, other than a service station or truck stop, which is designed to accommodate the motor vehicles of patrons in a manner which permits the occupants of such vehicles to remain in their vehicles while making purchases or receiving services.

DUPLEX

See Dwelling, Two Family.

DWELLING

A building or portion thereof containing one or more dwelling units. The term "dwelling" does not include Recreational Vehicles, motel(s), hotel(s), guest house(s), boarding house(s), rest home(s), or home(s) for the aged or for the mentally or physically handicapped, as defined herein.

DWELLING, HIGHRISE, MULTIPLE-FAMILY

A multiple-family building or portion thereof, rising five (5) or more stories and which may include off-street parking facilities, and which may have at least one (1) passenger elevator to serve the dwelling units.

DWELLING, MULTIPLE- FAMILY

A building, or portion thereof, containing three (3) or more dwelling units.

DWELLING, SINGLE FAMILY

A building designed for use and occupancy by one family, provided that the definition shall also include any home in which eight (8) or fewer, unrelated, mentally and/or physically handicapped persons may reside, and which is supervised. The resident staff, if employed, need not be related to each other nor to the handicapped persons in the home; and there shall not be more than two (2) of such staff residing in the dwelling at one time.

DWELLING, TWO FAMILY

A single building designed exclusively for use and occupancy by two (2) families that live independently of each other; known also as a duplex.

DWELLING UNIT

A suite of one or more habitable rooms providing complete living facilities for one family including permanent provisions for living, sleeping, eating, cooking, and sanitation. Recreational Vehicles are not included in this definition.

EASEMENT

That portion of land reserved for present or future use by a person or agency other than the legal owner(s) of the property. The easement may be for use under, on or above the property.

EMANCIPATED MINOR

Emancipated minor means an individual between fourteen (14) and eighteen (18) years of age who has been legally married or whose circumstances indicate that the parent-child relationship has been renounced.

ENERGY SYSTEM, NON-CONVENTIONAL

Power generated from natural forces such as wind, water, sunlight, or geothermal heat, or from biomass.

ENERGY SYSTEM, THERMAL

Any energy system including supply elements, furnaces, tanks, boilers, related controls and energy distribution components, which use any source of thermal energy. These sources include but are not limited to gas, oil, coal, and nuclear materials.

EQUESTRIAN WAY

A public way designated to be used for horseback riding.

EQUIPMENT, HEAVY

A moveable or transportable vehicle or other apparatus commonly used in agricultural, commercial, industrial, or construction enterprises, such as but not limited to trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, having a gross weight of 2.5 tons or more.

EVENT CENTER

A building, structure, or location with the primary intended purpose of hosting events.

EXHIBIT

Any document, paper, or the item filed and made a part of the record of a proceeding. Exhibits shall include but not be limited to maps, plats, drawings, letters, affidavits, depositions, petitions, photographs, blueprints, films, reports, recordings, e-mails and other tangible items.

FACILITY

A structure or place that is built, installed, or established to serve a particular purpose.

FAMILY

One or more adult persons over 18 years of age, or one or more emancipated minors, that have children (one or more) and live with such as a single household unit, while occupying a single dwelling unit. This term does not imply or include such types of occupancy as lodging or boarding house, clubs, sororities, fraternities, motels, hotels or otherwise.

FAMILY, IMMEDIATE

A member of the immediate family includes any person who is a natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of the owner of the real property.

FARM

A tract of land devoted to agricultural purposes generally under the management of a tenant or the owner.

FARM, RANCH, AND GARDEN BUILDING

See Building, Agricultural.

FARM EQUIPMENT

Any machinery or vehicles that are primarily devoted to agricultural purposes.

FEEDLOT, DRYLOT, STOCKYARD

See 'Livestock Confinement Operation'.

FERTILIZER WORKS

The site of manufacturing or production of fertilizer from commercial composting.

FLOOD INSURANCE RATE MAP (FIRM)

The map on which the Federal Insurance Administration has delineated the areas of specific flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY

The report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

FLOOD PLAIN

A relatively flat area or low land which has been, or may be, covered by water of a flood at least once per one hundred years. The flood plain includes the channel floodway and the floodway fringes, as follows:

- A. "Flood on one hundred (100) year frequency" shall mean a flood incidence which has a one per cent (1%) chance of occurring in any given year.

- B. "Flood" means a general and temporary condition of partial or complete inundation of normally dry land from overflow of inland waters or the rapid accumulation of surface waters from any source.
- C. "Channel" shall mean a natural or artificial watercourse of perceptible extent having definite bed and banks to confine and conduct continuously or periodically flowing water.
- D. "Floodway" means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- E. "Floodway fringe" shall mean that part of the flood plain which is beyond the floodway. Such areas will include those portions of the flood plain which are likely to be inundated by a flood at least once per one hundred (100) years.

FOSSIL FUEL

A combustible solid, liquid, or gaseous material, rich in carbon, formed from the remains of plants and animals. Common fossil fuels include coal, natural gas, and derivatives of petroleum such as fuel oil and gasoline.

FUTURE LAND USE MAP

One of the components found in the Comprehensive Plan to show where the County has designated future land use designations.

GARAGE, PRIVATE

A building or portion thereof, in which motor vehicles used by a tenant of the main building on the premises are stored or kept.

GOVERNING AUTHORITY

The Board of County Commissioners of Jerome County, Idaho.

GOVERNING BODY

Shall refer to the Planning and Zoning Commission or the Board, whichever is the applicable entity that is conducting the hearing.

GOVERNMENTAL PROTECTION FACILITY

Governmental Protective Facility is any agency designated by Jerome County to provide ambulance, fire and police protection.

GRADE, OR OFFICIAL GRADE

Grade (ground level) is the average of the finished ground level at the center of all walls of a building. If the building is within twenty-five (25) feet of a sidewalk or curb, said ground level shall be measured at the sidewalk or curb.

GUEST

Any person other than a member of a family hiring or occupying a room for living or sleeping purposes.

HABITABLE FLOOR

A floor used for living activities of any kind. A floor used for storage is not a habitable floor.

HANDICAP PARKING SPACE

Any public parking space posted and maintained with a permanent sign bearing the internationally accepted wheelchair symbol or caption "parking by disabled permit only", or both such symbol and caption.

HAZARDOUS MATERIALS

See Definitions, Chapter 13.

HAZARDOUS WASTE

Hazardous Waste means a waste or combination of wastes of a solid, liquid, semisolid, or contained gaseous form which, because of its quantity, concentration or characteristics (physical, chemical or biological) may:

- a. Cause or significantly contribute to an increase in deaths or an increase in serious, irreversible or incapacitating reversible illness: or
- b. Pose a substantial threat to human health or to the environment if improperly treated, stored, disposed of, or managed. Such wastes include, but are not limited to, materials which are toxic, corrosive, ignitable, or reactive, or materials which may have mutagenic, teratogenic, or carcinogenic properties but do not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to national pollution discharge elimination system under the Federal Water Pollution Control Act, as amended, 33 U.S.C., Section 1251 et seq., or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended, 42, U.S.C. Section 2011 et seq.
- c. This definition considers that a hazardous waste as defined herein, must also be certified as a hazard by being listed as such by an agency such as the Federal EPA. Its hazard must be demonstrable by generally accepted testing methods and such testing must be reproducible.

HEALTH AUTHORITY

The office or other designated authority charged with the administration and enforcement of the rules and regulations of the Health Department of the State of Idaho or the successor of the department.

~~HEARING~~

~~The convening of a quorum of a governing body for purposes of hearing public testimony, evidence and or comment, which is mandated by Idaho Code or this Ordinance, and which the consideration of such will be necessary for the conducting of county business at a subsequent meeting.~~

HEARING

A meeting of a Governing Body, or a time set before a Hearing Examiner, where the public has a legal right to comment or provide testimony.

HEARING, LEGISLATIVE

A hearing focused on the land use interests of the public at large.

HEARING, QUASI-JUDICIAL

A hearing focused on the land use interest of a specific individual or group of individuals.

HOME, DAY CARE

A home or place in which any child or children not related by blood or marriage to the person or persons operating such home are regularly received and cared for during any part of the twenty-four (24) hour day.

HOME, FOSTER

A home which accepts for any period of time, with or without compensation, an unrelated child as a member of the household for the purpose of providing substitute parental care of the child.

HOME, MOBILE (Trailer House)

A detached, single-family dwelling unit having all of the following characteristics:

- A. Originally intended and designed for long-term occupancy and accordingly contains sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities with plumbing and electrical connections for attachment to outside systems.
- B. Designed to be transported after fabrication on its own wheels.
- C. Arriving at the site where it is to be placed as a complete dwelling unit, containing major appliances and furniture, ready for occupancy except for minor and incidental unpacking and assembly operations, and which is placed on a permanent or semi-permanent foundation and connected to utilities.

This definition does not apply to prefabricated homes that have been designed to be moved on a flatbed truck, or other trailer, or on detachable wheels, for eventual placement on a permanent foundation.

HOME, NURSING

Also known as a "Convalescent Home or Rest Home". A building which houses any facility, however named, whether operated for profit or not, for the purpose of providing skilled nursing care and related medical services for two or more individuals who suffer from illnesses and other chronic disabilities.

HOME OCCUPATION (HOME BASED BUSINESS)

Home occupations shall be permitted in all zones, provided the home occupation is clearly and obviously subordinate to the main use or dwelling unit for residential purposes. Home occupations shall be conducted wholly within the primary structure or existing accessory building on the premises.

- A. The use does not change the character of the dwelling.
- B. Not more than one-half of the area of one floor of said dwelling is reserved for such use.
- C. The home occupation does not require external alterations in the dwelling, and its presence in the dwelling is manifested only by an outside sign.

HORSES FOR PRIVATE USE

Horses kept and maintained as an accessory use to a dwelling for the pleasure and use of the occupants thereof.

HOSPITAL

Any building used for the accommodation and medical care of sick, injured, or infirm persons including sanitariums. The definition does not include rest homes.

HOTEL

Any building containing six or more guest rooms which are rented or hired out to transient guests for occupancy as sleeping quarters.

HOUSEHOLD PET

An animal or fowl customarily permitted in the house and kept for company or pleasure, including dogs, cats, canaries, and similar pets. Reptiles are not usually considered to be house pets.

HOUSE, BOARDING

Any building, or portion thereof, other than a hotel or motel, where lodging and/or meals are provided for one or more persons who pay for these services. Rest homes and homes for the aged are not included in this definition.

HOUSE, ROOMING

A building other than a hotel where lodging is provided for compensation to one or more persons who are not members of the householder's family and where meals are not served or provided.

HUNTING PRESERVE

A commercial enterprise on an area of land reserved for public or private hunting and/or fishing, which may include accessory structures to support those types of activities.

INDUSTRIAL

Refers to the manufacture, processing, and testing of goods and materials, including the production of power. It does not refer to the growing of agricultural crops, the raising of livestock, nor the extraction/or severance of raw materials from the land being zoned, and it does not include agricultural activities.

IRRIGATION POND

A pond developed for irrigation of farmland by fresh canal water with no mixture of livestock waste.

JCZO

Jerome County Zoning Ordinance.

JUNK YARD

See Salvage Yard.

KENNEL

A site where dogs are raised, kept, bred, housed, boarded, or trained for commercial purposes.

KINDERGARTEN.

A school or division of a school below the first grade usually serving pupils of the four (4) to (6) age group and fostering their natural growth and social development through constructive play.

LAND DIVISION

The act of recording a deed with a metes and bounds description, or other acceptable legal description, that separates an existing Parcel into two separate and distinct Resulting Parcels.

LAND DIVISION, NON-REGULATED

See Chapter 14

LAND DIVISION, REGULATED

See Chapter 14

LAND DIVISION PERMIT

See Permit, Land Division

LANDFILL TRANSFER STATIONS

A fixed facility used as an adjunct to a solid waste management system whereby solid wastes may be re-compacted or otherwise processed and transferred from one (1) vehicle or container to another for transportation to another place.

LAND USE PLAN

A general plan adopted by the County which shows the recommended uses for land within the County.

LEGISLATIVE HEARING

A hearing where general standards for procedures, rules, or regulations and changes or amendments to ordinances, policies, plans, or regulations are addressed and formulated. Such hearings result in general rules or policies which are applicable to an open class of individuals, interest, or situations. Legislative hearings shall include but not be limited to amendments to the Jerome County Comprehensive Plan and Land Use Map and Jerome County Zoning Ordinances or other Ordinances prescribed by the Board of County Commissioners.

LIGHTING, SHIELDED

Any outdoor light fixture that uses shields, reflectors, or refractor angles that direct and cut off the light at an angle less than 90 degrees or is projected below the horizontal plane running through the lowest point on the fixture where light is emitted.

LIVESTOCK

Any animal typically kept for the purpose of providing work, recreation, food or fiber, privately or commercially, including but not limited to those animals of the families: Cervidae (elk, deer),

Bovidae (cattle, bison, goats, sheep), Equidae (horses), Camelidae (llama, alpacas, camels), Suidae (pigs, boars), Poultry or other birds, mink, chinchilla or rabbit. Livestock does not include dogs, cats or other common household pets.

LIVESTOCK CONFINEMENT OPERATION (LCO)

An animal operation functioning within a defined, contiguous area of land that is typically larger than the Animal Confinement Site, but in no event smaller, and where the animal unit to total land ratio is greater than two (2) units per one (1) acre, or seventy-five (75) units per parcel, and where livestock are fed, maintained and confined forty-five (45) days or more within a twelve (12) month period.

LIVESTOCK TRANSFER POINT and SALES YARD

An independent LCO not part of any operation, which continually receives Livestock from one or more sources for the purpose of temporarily storing such animals pending sale, processing and/or further transferal, by way of truck, train, or other forms of transportation.

LIVING QUARTERS

A living space embedded in a commercial endeavor or some other kind of non-residential use so that employees or other people associated with the use will have a place to stay or reside while at work due to an aspect of the job requiring one or more people to be at work around-the-clock. This definition shall not pertain to any Residential Dwelling permitted under the housing density standards of Chapter 6 of the JCZO.

LOT

A unit of land that is located in a platted subdivision and is identified by a number or letter.

LOT, BUILDING

See Chapter 8

LOT, DIVISION

See Chapter 8

LOT LINE ADJUSTMENT

See Chapter 8

LOT, OPEN

See Chapter 8

LOT, ORIGINAL

See Chapter 8

MANUFACTURING, HEAVY

Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character requiring large sites. Usually they generate nuisances such as smoke, noise, vibration, dust, and air and/or water pollutants.

MANUFACTURING, LIGHT

Manufacturing or other industrial uses which are usually controlled operations, relatively clean, quiet, and free from objectionable noise or pollution.

MANUFACTURING, EXTRACTIVE

Any mining, quarrying, excavating, processing, storing, separating, cleaning, or marketing of any mineral, natural resource.

MAPS, ZONING

The map or maps of Jerome County which are a part of this Ordinance designating zoning districts.

~~MEETING~~

~~The convening of a quorum of a governing body for purposes of conducting authorized county business, the nature of which does not necessitate public input, and where such input is not mandated under Idaho Code or this Ordinance.~~

MEETING

The convening of members of a Governing Body, in sufficient number to form a quorum, for the purposes of conducting county business.

MEMBER

A person duly appointed or elected to a seat on the Jerome County Planning and Zoning Commission, or the Board of County Commissioners.

MESSAGE CENTER

An electrically activated sign which provides general public service information such as time, date, temperature, weather, directional information, messages of interest to the traveling public and commercial messages which are commonly used to augment business identification signs.

METES and BOUNDS

See Chapter 8

MOBILE HOME

See HOME, MOBILE

MOBILE HOME PARK

See, PARK, MOBILE HOME

MOTEL

A building or buildings not necessarily attached to one another; which have guest rooms with automobile parking spaces provided in conjunction therewith, and which are designed and intended to be used primarily for the accommodation of transient, automobile travelers. The accommodations are rented by the day. This definition shall include auto cabins, tourists courts, motor courts, motor lodges, and other similar activities.

NEW CONSTRUCTION

Structures for which active construction commenced on or after the effective date of this Ordinance.

NON-CONFORMING BUILDING

A building structure, or portion thereof, which does not conform to those regulations of this Ordinance which are applicable to the zone or district in which such buildings are situated, but which use existed prior to the effective date of this Ordinance, or a use for which a building permit was issued prior to the effective date of this Ordinance.

NON-CONFORMING USE

An existing land use not prohibited by the JCZO at the time of inception, but has since become prohibited in some manner as a result of a subsequent change in the ordinance.

NURSERY, PLANT MATERIALS

Land, building, structure, or combination thereof for the storage and cultivation of live trees, shrubs, or plants for sale on the premises including products for gardening and landscaping.

OFF-STREET PARKING SPACE

An area adjoining a building which provides for parking of automobiles but which does not include a public street.

OPEN SPACES

An area substantially open to the sky and which may be on the same lot with a building. The area may include, along with the natural environmental features, water areas, swimming pools, tennis courts, and other recreational facilities that the Planning and Zoning Commission deems permitted. Streets, parking areas, structures for habitation, and the like shall not be included.

ORDINANCE

Ordinance refers to the Jerome County Zoning Ordinance.

OTHER USES

The term “other uses” as used in this Ordinance, implies uses that may be permitted in the zone or district. The term implies permission or approval for a use. Uses considered to be “other uses” require a review by the Planning and Zoning Commission, which will deny or approve, generally under stated conditions, the requested use.

OWNER

Any individual, person, firm, association, syndicate, partnership, corporation, or other entity having a proprietary interest in real property subject to this Ordinance. A lease hold interest is excluded from such proprietary interest in real property.

PARCEL

A single unit of contiguous land that is described on a recorded deed by metes and bounds or other acceptable legal description.

PARCEL, 40-ACRE – A Parcel that is: forty (40) acres by true measurement, an aliquot part (as defined by the public land survey system) that is used as a standard subdivision of a section, such as a quarter-quarter section; or a Government Lot (as defined by the public land survey system) that is designated by a number, may be regular or irregular in shape, whose acreage may vary from that of regular aliquot parts. In no case shall a forty (40) acre Parcel be less than 35 acres.

PARCEL, ORIGINAL

See Chapter 8 and Chapter 14

PARCEL, RESULTING

See Chapter 8 and Chapter 14

PARK, MOBILE HOME

Any parcel of land developed under single ownership that is designed for the commercial purpose of leasing sites for the permanent or semi-permanent placement and use of Mobile Homes as dwellings. A park typically consists of multiple sites that provide electrical, cable, phone, sewer and water hookups.

PARK, RECREATIONAL VEHICLE

Any parcel of land under single ownership that is designed for the commercial purpose of renting sites for the temporary placement and use of recreational vehicles for dwellings on a short term basis. A park typically consists of multiple sites for temporary use that may or may not include electrical, cable, sewer and water hookups.

PARKING AREA, PRIVATE

An area, other than a street or public way, which is designed, arranged, and made available for the storage of private automobiles of occupants of the building for which the parking area is accessory.

PARKING AREA OR LOT, PUBLIC

An area, other than a street or public way, to be used for the storage for limited periods of time of operable automobiles and commercial vehicles. The use is available to the public either for compensation or as an accommodation to clients and customers.

PARKING SPACE

A space within a public or private parking area, or a structure of not less than one hundred eighty (180) square feet, exclusive of access drives, which is used for parking motor vehicles.

PASTURE

Grass or other vegetation eaten as food by grazing animals and the ground on which such vegetation grows, especially that which is set aside for use by domestic grazing animals.

PERMIT

Oral or written approval to engage in a certain regulated use, issued to an applicant by the appropriate regulatory authority.

PERMIT, BOUNDARY LINE ADJUSTMENT

A permit that authorizes a certain Boundary Line Adjustment.

PERMIT, LAND DIVISION

A permit that authorizes a certain land division.

PERMIT, LCO

A permit that authorizes a certain LCO.

PERMIT, SPECIAL USE

A permit that authorizes a certain Special Use.

PERMIT, VARIANCE

A permit that authorizes a Variance

PERMIT, WLCO

A permit that authorizes a certain WLCO.

PERSON

An individual, corporation, joint venture, limited partnership, partnership, firm, syndicate, association, trustee, or other similar entity or organization.

PETITION

A formal written request to review and consider a text amendment to one or more items within the Jerome County Zoning Ordinance or Comprehensive Plan. A petition may be generated by one or more person(s).

PLANNING AND ZONING COMMISSION

Appointed by the Board to hold Legislative Hearings and business assigned by the Board.

PLANT, FERTILIZER

A site for manufacturing or production of chemical fertilizer.

PLANT, INDUSTRIAL MANUFACTURING/PROCESSING

Any establishment (not including a rendering plant) engaged in a series of continuous actions that changes one or more raw materials into a finished product and/or a product that is distributed or packaged and shipped for additional processing or fabrication.

PLANT-ENERGY PRODUCING, NON-CONVENTIONAL

Any facility or installation such as a windmill, hydroelectric unit or solar collecting or concentrating array, which is designed and intended to produce energy from natural forces such as wind, water, sunlight, or geothermal heat, or from biomass for offsite use.

PLANT-THERMAL ENERGY PRODUCING, CONVENTIONAL

Any facility which is designed and intended to convert energy from one or more energy sources, including but not limited to fossil fuels for either the transmission from the generation facility to a power distribution system or to final consumers.

PLAT

See Chapter 8

PLAT, FINAL

See Chapter 8

PLAT, PRELIMINARY

See Chapter 8

PLAT, SKETCH

See Chapter 8

PLATEAU

Plateau is a flat surface between the Canyon Rim and the Slope.

PRESERVATION ZONE

The Preservation Zone is from the middle of the Snake River to the Canyon Rim. No building structure other than aquaculture, boat dock, pumping station and power plants shall be closer to the Snake River than one hundred (100) feet to a line on the side or bank of the river that is located by a level five feet above the high water mark of the natural flow created by impounded water of the river.

PRINCIPAL DESIGNATED USE

The main use of land or building as distinguished from a subordinate, accessory, or other use.

PROFESSIONAL ACTIVITY

The use of offices and related spaces for services usually provided by medical practitioners, lawyers, architects, engineers, and similar professions.

PROPERTY

A lot or parcel of land including all buildings and improvements thereon.

PROPERTY LINE

A recorded boundary of a lot or parcel of land.

PUBLIC SERVICE FACILITY

Those facilities of a municipality, sanitation district, or county which have been approved by Jerome County and the State of Idaho.

PUBLIC UTILITIES

Structures or facilities essential to supplying the public with electricity, power, gas, water, water treatment, transportation, communication and public services. The definition includes power plants, electrical substations, gas regulators stations, and water treatment plants.

QUASI-JUDICIAL HEARING

A hearing where general standards are applied to specific individuals, interests, or Uses.

QUASI-PUBLIC USE

Churches, Sunday Schools, parochial schools, colleges, hospitals, and other facilities of educational, religious, charitable, philanthropic, or non-profit nature.

QUORUM

A majority of the voting members of the body. Any positions unfilled shall not be included in the count of voting members.

REAL PROPERTY

Real property consisting of:

- A. Lands, possessive rights to land, ditch rights, water rights, and lode or placer mining claims.
- B. That which is affixed to land.
- C. That which is appurtenant to land.

RECREATIONAL VEHICLE

A vehicle self-propelled on its own chassis or towed, designed or used for temporary dwelling, recreational or sporting purposes, and may or may not contain one or all of the following amenities: kitchen, bathroom and sleeping facilities. The term "recreational vehicle" shall include, but not be limited to travel trailers, tent trailers, pick-up campers, camping trailers, motor coach homes, and trucks, vans, buses, boats, trailers, or other vehicles converted or used for the temporary purposes described above.

RECREATIONAL VEHICLE PARK

See PARK, RECREATIONAL VEHICLE.

RENDERING PLANT

A plant that converts packing house wastes, kitchen grease, and livestock carcasses into industrial fats, oils, and other products including fertilizer.

REPAIR

The reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word shall not apply to a change in structure such as additions to, or remodeling of, the building.

RESIDENTIAL USE

A building or portion thereof designed for residential occupancy, including one-family, two-family, and multiple-family dwelling. It shall also include the use of property for the care of eight (8) or fewer mentally and/or physically handicapped persons, (Idaho Code 67-6503). The use does not include hotels, boarding houses, lodging houses, trailers, camp trailers or trailer homes.

RESTAURANT

Any land, building or part thereof other than a boarding house or residence where meals are provided for compensation. The definition includes, among others, cafeterias, coffee shops, lunchrooms, tearooms, and dining rooms.

RIGHT-OF-WAY

A strip of land taken or dedicated for use as a public way. In addition to a street, it normally incorporates any drainage facilities, curb and gutters, and may include special features such as canals and bridges or other public utility or service areas.

ROAD (See Street)

RODEO, RODEO ARENA

An area used as an entertainment site for the exhibition of skills in horsemanship and other cowboy activities. The exhibitions may be competitive.

SALVAGE YARD

A place where scrap, waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled, or stored. The definition includes auto-wrecking yards, tractor-wrecking yards, house-wrecking yard, used lumber yards, and places used for storage of salvaged house-wrecking and structural materials and equipment. The definition does not include places where such activities are conducted entirely within an enclosed building; nor does it include pawn shops or establishments used for the sale, purchase, or storage of used furniture and household equipment, used cars in operable condition, or salvage materials incidental to manufacturing operations conducted on the premises.

SANITARIUM, SANITORIUM

A private hospital, not necessarily operated for profit.

SCHOOL

An institution offering regular, academic instruction at elementary, secondary, and college levels.

SCHOOL, TRADE OR INDUSTRIAL

An institution or facility offering instruction in technical, commercial, or trade skills such as business, beautician, barber, electrician, automotive mechanic, and similar activities.

SERVICE STATION, GARAGE

Buildings and premises where gasoline, oil, grease, batteries, tires, and other motor vehicle accessories may be offered for use or sale to the retail public; and where, in addition, the following services may be rendered and sales made:

- A. Sales and service of spark plugs, batteries, and distributor parts.
- B. Tire servicing and repair, but not recapping nor re-grooving.
- C. Replacement of muffler, tailpipe, water hose, fan belt, brake fluid, light bulb, fuse, floor mat, seat cover, windshield wiper and blade, grease retainer, wheel bearing, mirror, and similar accessories.
- D. Radiator cleaning and flushing.
- E. Washing and polishing and sale of washing and polishing materials.
- F. Greasing and polishing.
- G. Providing and repairing fuel pumps, oil pumps, and lines.
- H. Minor servicing and repair of carburetors.

- I. Adjusting and repairing brakes.
- J. Minor adjustments not involving removal of the engine head, crankcase, or racing the motor.
- K. Sales of cold drinks, packaged food, tobacco and similar convenience goods for service station customers, as accessory and incidental to principal operations.
- L. Provision of road maps and other informational material to customers; provision of rest room facilities.
- M. Warranty maintenance and safety inspections.

Note that uses permitted as a filling station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles which are not in operating condition; nor other activities which are more extensive than usually found in a filling station. A filling station is not a repair garage nor an automotive body shop.

SETBACK

The minimum distance allowed between any point in the outer parameter of a defined area (including the outer parameter of any kind of structure) and any point in the outer parameter of some other defined area or structure.

SEWAGE LAGOON

An open pit or impoundment, and any open delivery component thereof (e.g. drains, ditches, culverts, etc.), that are designed for the containment of municipal, residential, commercial, and industrial waste, treated or untreated, that is produced by the day to day operations of such municipality, residence, commercial or industrial enterprise.

SHORE LOT

A lot having one (1) or more sides as the shore of a body of water.

SIGN

A sign is a publicly displayed board, placard, or any other figure or object bearing some information or advertisement which is affixed to any structure of natural object and whose purpose is to attract attention to any object, product, place, activity, person, institution, organization, or business. A sign may display and/or include any letter, word, model, flag, banner, pennant, insignia, device, or other representation which serves a purpose of announcing, directing, or advertising. This definition of "sign" does not include the flag, pennant, or insignia of any nation, state, county, or other political unit or other political, educational, charitable, philanthropic, civic, professional, religious, or similar campaign, drive, movement, or event.

SIGN, PORTABLE

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T frames; menu and sandwich boards signs, balloons used as signs, umbrellas used for advertising; and signs attached to or painted on current licensed vehicles parked and visible that are used in normal day-to-day operations or the business.

SIGHT DISTANCE

The distance of unobstructed view at an intersection as defined in the Uniform Traffic Code as accepted by the State of Idaho.

SINGLE FAMILY DWELLING

See Dwelling, Single Family.

SLAUGHTERHOUSE

See Commercial Slaughterhouse.

SLOPE

The Slope is land that goes up or down at an angle.

SPECIAL USE

A use permitted within a district which differs from the principal, permitted use and which requires the approval of that use by the Planning and Zoning Commission as manifested by the issuance of a Special Use Permit. Special uses which may be permitted in each zone are listed in the Schedule of Zoning Regulations.

SPIRE

The tapering termination of roof tower or roof form to a point, as a steeple.

STABLE, PRIVATE

An accessory building or structure for the keeping of one or more horses or cows which are owned and used by the occupant of the premises and which are not kept for remuneration, hire, or sale.

STABLE, COMMERCIAL

A building or structure which is designed or used for the boarding and care of horses. The use includes locations where horses are sheltered and used for remuneration, hire, or sale.

STAFF

Employees of the Jerome County Planning and Zoning or Building Departments, or other persons identified by a governing body, who are authorized by the Board, Ordinance or Idaho Code, to prepare documents or otherwise assist a governing body with planning and zoning matters.

START OF CONSTRUCTION

The first placement of permanent construction of a structure, other than a mobile home, on a site such as the pouring of concrete slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation of a building site, construction of streets or walkways, excavation of basements or footings, nor the erection of temporary forms. Permanent construction does not include installation of sheds, garages, or structures which are not a part of the main structure.

STORAGE RENTAL

A storage rental is a commercial structure or group of structures comprised of multiple units that are rented out by persons or businesses for the storage of goods or materials. Hazardous materials shall be prohibited from being stored within the storage rental. All goods and materials shall be stored within the storage rental.

STORY

That portion of a building included between the surface of a floor and the next ceiling above the floor.

STREET

Any vehicular way, including avenue, boulevard, court, cul-de-sac, drive, highway, lane, place, road, and any other thoroughfare that affords the principal means of access to abutting property.

STREET, COLLECTOR

See Chapter 8

STREET, CUL-DE-SAC

See Chapter 8

STREET, FRONTAGE

See Chapter 8

STREET, LOCAL

See Chapter 8

STREET, MAJOR ARTERIAL

See Chapter 8

STREET, MINOR ARTERIAL

See Chapter 8

STREET, PRIVATE

See Chapter 8

STREET PUBLIC

See Chapter 8

STRUCTURE

~~Anything constructed or erected and which is attached, directly or indirectly, to a fixed location on the ground. Structures include, but are not limited to, buildings, modular homes, mobile homes, walls, fences, signs and billboards. The term "structure" does not include electrical transmission lines or poles, or their appurtenances.~~

STRUCTURE

Something built or constructed for the purpose of serving a lasting use, such as buildings, walls, fences, signs, etc., but does not include electrical transmission poles, lines or their appurtenances.

~~STRUCTURE ALTERATIONS~~

~~Any change in the supporting members of the building such as the bearing walls, columns, beams, girders or roof.~~

STRUCTURE, EXEMPT

See Chapter 19

STRUCTURE, NON-EXEMPT

See Chapter 19

SUBDIVIDER

See Chapter 8

SUBDIVISION

A regulated Land Division that: produces one or more Resulting Parcel(s) smaller than one (1) acre; or is the final in a series of such Land Divisions that culminates in the Original Parcel having been separated into five or more Resulting Parcels.

SUBDIVISION, CLUSTER

See Chapter 8

SUBDIVISION, MINOR

See Chapter 8

SUBSTANTIAL IMPROVEMENT

Any repair, reconstruction, or improvement of a structure which is equal to fifty percent (50%) or more of the market value of the structure either:

1. Before the improvement or repair was started, or
2. If the construction is the result of damage, before the damage had occurred. For the purpose of this definition, substantial improvement occurs when the first alteration of a wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

SURVEYOR

A person authorized by the State of Idaho to practice the profession of land surveying.

UNDUE HARDSHIP

Special conditions depriving the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this Ordinance. Undue hardship does not include the mere matters of convenience and/or profit.

UNINCORPORATED TERRITORY

All of the territory within the boundaries of Jerome County, Idaho, but which lies outside of incorporated cities or villages.

USE

The specific purpose for which land or a building is designated, arranged, intended, or for

which it is or may be occupied or maintained.

USE, ACCESSORY

An activity or structure incidental or secondary to the principal use on the same lot, tract or parcel.

USE, EXISTING

Any use legally existing at the time of adoption of this Ordinance.

UTILITIES

Installation(s) to conduct and provide service(s) such as the generation, transmission or distribution of water, sewage, gas, electricity and communication; the collection and treatment of sewage and solid waste; the collection, storage or diversion of surface water, storm water, and ancillary facilities providing services to the public. These services may be provided by a public or private agency.

VARIANCE

~~A permission or license to do some act which is contrary to the terms of this Ordinance, especially to build or to use contrary to the provisions of an otherwise applicable zoning ordinance or building code. This definition is considered to be consistent with that of Idaho Code 67-6516.~~

A Variance is a necessary adjustment to a regulation of the JCZO because certain physical characteristics of a particular parcel makes compliance with such regulation impossible, or causes an undue hardship. A variance does not include a change of authorized land use.

WAREHOUSED LIVESTOCK CONFINEMENT OPERATION (WLCO)

An animal operation functioning within a defined, contiguous area of land where every aspect of the operation occurs totally and completely within a Controlled Structure or Structures, including the storing of all animal waste.

WASTE LAGOON

An open pit or impoundment, and any delivery component thereof (e.g. drains, ditches, culverts, ect.), designed for the containment of Liquid Waste Matter, treated or untreated, that is produced by the day to day operations of an LCO or other kind of animal facility.

WASTE MATTER

Any matter included in the definitions of "waste products," "dead animal," or "hazardous materials," or any combination thereof, as well as all other waste accumulation (animal, vegetable and/or other) that is putrescible or easily decomposable, such as, but not by way of limitation, manure, urine or other kinds of discarded matter.

WASTE PRODUCTS

See Definitions, Chapter 13.

WIND FARM

A site for generating electricity utilizing Wind Turbines, also known as windmills, that may or may not be in conjunction with other uses.

WIND TURBINE (POWER GENERATOR)-ALSO KNOWN AS WINDMILLS

A fixed utility structure utilized to generate electricity.

WLCO, REGULATED

See Definitions, Chapter 13A.

WLCO SITE

See Definitions, Chapter 13A.

YARD, FRONT

The front yard is that space which lies between the property line at or adjacent to the street and the building line nearest the street, and which extends the full width of the lot on the side adjacent to the street.

YARD, REAR

The rear yard is that space which lies between the rear building line and the rear property line, and which extends the full width of the lot on the side adjacent to the rear property line.

YARD, SIDE

The side yard is that space which lies between the side building line and the adjacent property line, and which extends from the front yard to the rear yard.

ZONING MAP

The Zoning Map or Maps of Jerome County, Idaho, as incorporated into this Ordinance designating zoning districts together with all amendments subsequently adopted.

ZONING OFFICIAL

The Zoning Administrator or his authorized representative.

ZONING DISTRICTS

A portion of the incorporated territory of Jerome County defined by this Ordinance and designated on Zoning Maps to which the provisions of this Ordinance apply.

ZONING PERMITS AND CERTIFICATES

- A. ZONING PERMIT. Written approval by the Administrator or Staff that is required before commencing any construction, reconstruction, alteration of any building or structure or before establishing, extending, or changing any use on any parcel.
- B. OCCUPANCY CERTIFICATE. A document issued by the Building Office authorizing the occupancy and use of completed buildings, structures, or premises, and the proposed use thereof, for the purpose of insuring compliance with the provisions of this Ordinance and other County Codes and Regulations.
- C. ZONING PERMITS FOR AGRICULTURE BUILDING. A document issued by the Zoning Administrator indicating that the use of the structure is used only for an Agricultural

- building.
- D. NOTICE OF NONCOMPLIANCE. A document issued by the Zoning Administrator indicating that a use of a structure does not conform to the district regulations, or that it is not in conformity with other conditions or requirements of this Ordinance.