

CHAPTER 2  
**DEFINITIONS**

SECTION:

9-2-1: General Definitions

9-2-1: **GENERAL DEFINITIONS:** Except as defined hereafter, any terms not defined herein shall be given the meaning ordinarily applied to such words as used in zoning terminology:

ACCESSORY DWELLING UNIT:	An additional dwelling unit that is subordinate and incidental to the main residential use. Accessory dwelling units are not used as rental apartments. Examples would include a guest-house and a detached "mother-in-law apartment."
ACCESSORY STRUCTURE:	A subordinate structure incidental to the main use or principal building of a property and which is located on the same lot or tract as the main structure but does not include any building containing a "dwelling" unit as hereinafter defined.
ACCESSORY USE:	A use incidental and subordinate to the principal use of the same premises.
ADMINISTRATOR:	An official of the city of Potlatch, who is authorized to serve by the city council.
AGRICULTURAL BUILDING:	Any building designed and constructed to be used for agricultural purposes, which is not intended for human habitation (including pump houses, barns, tool sheds, storage buildings, etc.).

AGRICULTURAL USES:	Farming, dairying, pasturage, cultivation, tillage, horticulture, floriculture, silviculture, viticulture, vermiculture, animal, poultry, and fish husbandry, as the principal land use and the necessary accessory uses for packing, treating, or storing the produce. Agricultural uses shall not include commercial riding stables, race-tracks, slaughterhouses, plants, factories, works for the reduction of animal matter, or commercial poultry, kennels, or feedlots.
AIRPORT:	Any runway, land area or other facility designed for the accommodation, servicing, landing, and take off of aircraft.
ANIMAL HOSPITAL:	Any building or portion thereof designated for the care or treatment of cats, dogs, or other animals.
APPLICANT:	Any person initiating an application for subdividing or development of land for the building or modification of any improvement on land. The applicant need not be the owner of the property; however he/she shall be an agent of the owner or have sufficient proprietary rights in the property to represent the owner.
APPLICATION:	The forms and information required to be filed by the applicant for any permit, variance or appeal under this title.
AREA OF IMPACT:	An area mutually agreed upon, including boundaries and ordinances between the city and county as provided for in Idaho Code section 67-6526.
BAR/LOUNGE/ TAVERN:	A building where alcoholic beverages are sold on the premises not including restaurants where the principle business is serving food.
BED AND BREAKFAST:	A residence used for the lodging of paying guests. One to four (4) guestrooms is an allowed use; five (5) or more guestrooms require a conditional use permit.

BUILDING:	Any structure which is designated or intended for the shelter, enclosure or protection of persons, animals, or property of any kind.
BULK PLANT:	An establishment where liquids are received by tank, vessel, pipelines, tank car or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank, vessel, pipeline, tank car, tank vehicle or container.
CANDELA (cd):	Unit of luminous intensity. One candela is one lumen per steradian. Formally called the candle.
CANDLEPOWER:	Luminous intensity expressed in candelas.
CHURCH:	Any structure or property, which is owned by any religious organization, which is qualified as an organization exempt from income tax.
CIVIC USES:	Of or relating to a citizen, citizenship or civil affairs; of or relating to or involving the general public and community and their activities, needs or ways or civic affairs.
CLINIC:	A building or portion of a building containing offices and facilities for providing medical, dental or psychiatric services for outpatients only.
CLUSTER DEVELOPMENT:	A subdivision or other development planned and constructed so as to group structures or lots into relatively concentrated and contiguous areas while providing a unified network of open space, wooded area, recreational, or agricultural land.
COMMERCIAL USE:	A use other than agriculture which involves the sale of products or services for profit or compensation.
COMMISSION:	The city of Potlatch planning and zoning commission (Idaho Code 67-6504).

COMPREHENSIVE PLAN:	A compilation of goals, policies, maps and other data guiding the physical, social and economic development, both public and private, of the city of Potlatch and its environs, as defined in the Idaho local planning act of 1975.
CONDITIONAL USE:	Any use as defined by this title which, because of its potential incompatibility with adjacent or traditional uses, is subject to restrictions, limitations and conditions specified herein. Also known as a special use permit.
COUNCIL:	The city of Potlatch city council.
CUTOFF FIXTURE:	A light fixture that provides a cutoff (shielding) of the emitted light.
DAYCARE:	The provision of supplemental care and supervision for a nonrelated child or children, on a regular basis, for less than twenty four (24) hours a day. The term is not intended to include babysitting services of a casual, nonrecurring nature.
DENSITY:	A unit of measurement which specifies the number of dwelling units per acre of land.
DEVELOPMENT:	Any grading, vegetation removal, construction activity, or any other activity, excluding maintenance, which changes the existing character or use of the land or has any impact on adjoining properties.
DRIVE-IN ESTABLISHMENT:	An establishment, other than an automobile service station, that is designed to accommodate the motor vehicles or patrons in such a manner as to permit the occupants of such vehicles, while remaining in the vehicle, to make purchases or receive services.
DWELLING:	A building, or portion thereof, containing one or more dwelling units. The term, dwelling, does not include any "recreational vehicle", "hotel" or "motel" as defined herein.

Multiple-Family Dwelling:	A building containing at least three (3) dwelling units for three (3) or more families living independently of each other.
One-Family Dwelling:	A detached building containing one dwelling unit designed for and occupied exclusively by one family. For purposes of this title, the classification of one-family dwelling shall include "group homes", "mobile homes" and "manufactured homes" as herein defined.
Two-Family Dwelling:	A building containing two (2) dwelling units for two (2) families living independently of each other including duplexes, and semidetached housing.
FAMILY:	An individual or two (2) or more individuals related by blood, marriage, legal adoption or guardianship, or a group of four (4) or fewer persons who are unrelated and reside together using common cooking facilities.
FAMILY FOOD PRODUCTION:	The keeping of domestic animals and fowl for the production of food for the use of the family occupying the premises.
FEEDLOT, COMMERCIAL:	An area where livestock is contained for the purpose of resale or slaughter at an average monthly confined animal density exceeding two (2) animal units per acre and using a primary feed supply other than grazing, excluding family food production or incidental sale.
FULL CUTOFF FIXTURE:	A lighting fixture unit where zero (0) luminosity occurs at an angle of ninety degrees (90°) above nadir, and at all greater angles from nadir. Additionally, the candela per one thousand (1,000) lamp lumens does not numerically exceed one hundred (100) (10 percent) at a vertical angle of eighty degrees (80°) above nadir. This applies to all lateral angles around the light fixture. This kind of light fixture emits no light above the horizontal.

FUNCTIONAL OPEN SPACE:	Land within a development which is permanently reserved as open space, free from permanent structures, useful for recreational or social use by the residents of the development, or others; such space shall not include streets, roadways, or parking areas.
GREENHOUSE, COMMERCIAL:	An establishment where flowers, shrubbery, vegetables, trees and other horticulture products are grown in the open and/or in an enclosed building for sale to the general public on a retail basis.
GREENHOUSE, WHOLESALE:	An establishment where flowers, shrubbery, vegetables, trees and other horticulture products are grown in the open and/or in an enclosed building for sale on a wholesale basis, with retail sales on premises to be on an occasional and incidental basis.
GROUP HOME:	Residential shelter care facilities for mentally retarded, physically handicapped and elderly citizens. Group homes for eight (8) or fewer people are considered single-family dwellings for purposes of land use ordinances.
HALFWAY HOUSE:	A type of housing for persons convicted of nonviolent crimes that are in the latter stages of serving a sentence and are being transitioned back into free society.
HEALTH AUTHORITY:	The central district health department (region IV), the Idaho department of labor and industrial services, plumbing division and the Idaho division of environmental quality.
HEIGHT, BUILDING:	The maximum distance possible, measured vertically, from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the declivity of mansard roofs and top of building walls for gable, hip and gambrel roofs.

- HOLDING FACILITY:** Any building used for the purpose of housing persons under the custody of any city, county, or the Idaho state board of corrections as a prisoner for the violation of a criminal offense for a period not to exceed seventy two (72) hours.
- HOME OCCUPATIONS:** Any gainful commercial operation, profession or craft, which is customarily incidental to or carried on entirely within a dwelling place, and wherein the use is clearly incidental and secondary to the use of the structure for dwelling purposes. Not more than fifty percent (50%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
- HOSPITAL:** An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, and licensed by the state of Idaho to provide facilities and services in surgery, obstetrics, and general medical practices.
- HOTEL/MOTEL:** A building in which lodging is provided and offered to the public for compensation and which is open to transient guests.
- INDUSTRIAL USE:** Any manufacturing processing, testing, energy production, storing, assembling, testing and similar uses, which generally generate byproducts of noise, smoke, odor, glare, gas, vibration, dust, or light. It does not refer to the growing of agricultural crops or the raising of livestock.
- JUNKYARD:** An outdoor space where waste, discarded, or salvaged materials including inoperative automobiles are bought, sold, exchanged, baled, packed, disassembled, stored or handled. Junkyard also includes house wrecking and structural steel materials and equipment, but does not include such places where such uses are conducted entirely within a completely enclosed building such as pawnshops and

	establishments for the sale, purchase or storage of used furniture and household equipment or for used cars in operable condition, or salvaged materials, which are incidental to manufacturing operations.
KENNEL, COMMERCIAL:	The commercial boarding, caring or breeding of four (4) or more dogs, cats and other household domestic animals in return for compensation or kept for sale. The sale of two (2) or less litters of pets per year per animal shall not be deemed commercial.
LIGHT TRESPASS:	Light falling where it is not wanted or needed. Spill light. Obtrusive light.
<b>LIVESTOCK:</b>	<b>Hoofed domesticated animals, poultry, rabbits and fur bearing animals.</b>
LOT:	A parcel, plot, tract, or other land area of suitable size as required in these regulations and created by subdivision for sale, transfer or lease.
LOT AREA:	The total area of a lot measured on a horizontal plane within the boundary lines exclusive of public and private roads, and access easements to other property.
LOT COVERAGE:	The percentage of the lot area covered by buildings and pavement.
LUMBER MILL, PERMANENT:	The site, equipment, and buildings necessary to saw, plane, or mill tree logs into posts, poles, building logs, lumber, dimensional lumber or similar products.
LUMBER MILL, PORTABLE:	A temporary enterprise where logs are cut and milled on the same site.
MANUFACTURED HOME:	A factory built structure constructed according to the national manufactured housing construction and safety standards act of 1974, and as



amended, which became effective June 15, 1976. A manufactured home:

A. Is transportable in one or more sections, which in the traveling mode, is eight feet (8') or more in width or is forty feet (40') or more in length.

B. When erected on site is three hundred twenty (320) or more square feet.

C. Is built on a permanent chassis; however, it does not have permanently attached to its body or frame any wheels or axles, and, it is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site.

D. Is designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities.

E. Has a pitched roof with a minimum pitch of 2:12 (2 inches of rise to 12 inches of run).

MANUFACTURED/  
MOBILE HOME PARK:

Any area, tract, plot or parcel of land developed as a planned unit development (PUD) and designed primarily for placement of manufactured/mobile homes located and maintained for dwelling purposes on a permanent or semi-permanent basis.

MINERAL  
EXTRACTION:

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

MOBILE HOME:

A transportable, factory built residential dwelling, which was constructed prior to enactment of the national housing construction and safety standards act of 1974, which became effective June 15, 1976, or has been rehabilitated according to standards set by Idaho Code.

MODULAR BUILDING:	Any building or building component, other than a manufactured home, and is either entirely or substantially prefabricated or assembled at a place other than the building site. Modular homes are subject to the same standards as site built homes. Modular buildings are not required to comply with the national manufactured home construction and safety standards act of 1974.
NADIR:	The point directly below the observer or object (such as a light fixture) being discussed.
NONCONFORMING BUILDING:	A building or structure or portion thereof lawfully existing or being lawfully constructed prior to March 1997 when the first zoning and development ordinance was passed, which was designed, erected or structurally altered for a use, or to dimensional standards that do not conform to the requirements for structures and/or uses as outlined by this title.
NONCONFORMING LOT:	A lot of record which was lawfully existing prior to March 1997 when the first zoning and development ordinance was passed, but which, because of the application of this title to it, no longer conforms to lot area or width requirements prescribed in this title.
NONCONFORMING USE:	A use which was lawfully established and maintained prior to March 1997 when the first zoning and development ordinance was passed, but which, because of the application of this title to it, no longer conforms to the use regulations.
OPEN SPACE:	Any part of a lot unobstructed from the ground upward.
ORIGINAL PARCEL:	A lot or tract as recorded on any plat of record on file in the office of the Latah County recorder, or any unplatted contiguous parcel of land held in one ownership and of record on December 27, 1978.

PERMANENT FOUNDATION:	Concrete or timbered structure that complies with the building code, is not easily moveable and the primary purpose is support of a structure or sign.
PLAT:	The drawing, map or plan of a subdivision, cemetery, townsite or other tract of land, into lots, blocks, and roads in accordance with Idaho Code title 50, chapter 13.
PRINCIPAL USE:	The specific purpose for which a lot is arranged, intended, designed, occupied or maintained.
RECREATIONAL VEHICLE:	A licensed vehicle, eight feet by forty feet (8' x 40'), or less, wherein people reside on a temporary basis which is incidental to their principle residence.
RECREATIONAL VEHICLE PARK:	A parcel of land which has been planned and improved or which is rented or used for the placement of two (2) or more transient recreational vehicles. Recreational vehicle parks are for temporary living quarters and not permanent housing.
RESTAURANT:	Any land, building or part thereof, other than a boarding house or bed and breakfast, where meals are provided for compensation, including, among others, such uses as cafe, cafeteria, coffee shop, lunchroom, and dining room.
RIGHT OF WAY:	A strip of land dedicated or reserved for use as a public street, crosswalk, railroad, road electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for other special uses.
ROADSIDE STAND:	A temporary or mobile structure designed or used for the display or sale of products or services.
SCHOOL:	An organization specializing in the instruction of students.

- SETBACK AVERAGE:** The minimum front or rear yard setbacks may be adjusted to conform with the average setback of existing similar buildings on the adjoining four (4) properties (2 on each side of the proposed use).
- SETBACKS:** The space between *every* structure and all property lines on the lot on which structures are located, required to be left open and unoccupied by buildings or structures, either by the front, side, or rear yard requirements of this title, or by delineation on a recorded subdivision map.
- SHALL:** The word shall is mandatory.
- SIGNS:**
- Nonconforming Sign:** Any sign, sign structure or use of sign existing before enactment hereof that does not conform to the standards cited by this title.
- Off Premises Or Outdoor Advertising Sign:** Any sign that directs attention to the use, name, business, commodity, service, entertainment or land use conducted, sold, or offered elsewhere than the sign location.
- On Premises Sign:** Any sign or advertising structure whose message identifies the property on which the sign is located, its owner or tenant, or directs attention to an offer for sale, lease or rent of said property, or warns the public as to danger, or trespassing thereon, or directs the public upon said property, or informs the public as to current or proposed use of the property, or recites the name of the land use, business, proprietor or nature of products or services provided or manufactured upon said property.
- SITE PLAN:** A drawing of existing and planned conditions to facilitate review and approval of an application.

SLAUGHTERHOUSE/ MEAT, POULTRY OR FISH PACKING:	A facility which includes slaughtering, meat canning, curing, smoking, salting, packing, rendering, or freezing of meat products or a facility in which meat products are so processed for sale to the public and where the inspection of meat, meat byproducts and meat food products are maintained.
SLOPE:	Refers to an incline from the horizontal plane which is often expressed as percent slope, slope ratio, or gradient. As an example, a fifteen percent (15%) slope is equal to a fifteen foot (15') vertical change within a one hundred foot (100') horizontal distance.
SPECIAL USE PERMIT:	See definition of Conditional Use.
STABLE, RIDING:	A building or structure used or designed for the boarding or care of riding horses for remuneration, hire, or sale.
STRAW PROCESSING PLANT:	The site, equipment and buildings necessary to convert straw into byproducts, such as straw-board, or to extract byproducts from straw.
STRAY LIGHT:	Emitted light that falls away from the area where it is needed or wanted. Light trespass.
STRUCTURE:	Anything constructed or erected, except fences, exceeding three feet (3') in height, which requires permanent location on the ground or is attached to something having permanent location on the ground.
THROUGH LOT:	A lot that has both the front and rear property lines abutting city streets. Lots that do not go "through" have the rear property line abutting either another lot or an alley.
UTILITIES:	All water supply, drainage, sewer, gas, electrical, telephone, television and other communications lines, and related features.

VARIANCE:	A grant of relief from certain provisions of this title when, because of unique, natural site characteristics of a property, compliance would result in undue hardship upon the owner as distinguished from a mere inconvenience or inability to receive greater profit, and which would not be contrary to the public interest (Idaho Code section 67-6516).
VICINITY MAP:	A small scale map showing the location of a tract of land in relation to a larger area.
WETLANDS:	Those areas that are within the definition of wetlands as defined by the environmental protection agency and within the jurisdiction of the U.S. army corps of engineers.
WOOD PROCESSING PLANT:	The site, equipment and buildings necessary to convert wood into chips or fibers, or fibers into byproducts such as paper, plywood and particleboard, or to extract byproducts from wood fibers.
WRECKING YARD:	Any use of a site, excluding enclosed buildings, on which three (3) or more motor vehicles not in operating condition are standing more than thirty (30) days, and which vehicles do not carry valid state registrations and license plates.
ZONING ORDINANCE:	The city of Potlatch zoning and subdivision ordinance. (Ord. 426, 7-8-2002)