

**H. Maintenance of Signs.** Signs and their supporting structures shall be maintained so as not to create health or safety hazards.

**I. Abandoned Signs.** Abandoned signs shall be removed within sixty days of the adoption of this ordinance or within 60 days of the abandonment of the use to which the sign is appurtenant. Abandonment shall not be a matter of the owner's intent, but shall be considered to occur whenever a use ceases operation for more than one year. Any sign that, due to lack of maintenance, is not structurally sound or no longer serves to inform and attract the public shall also be considered abandoned, and its removal required.

## CHAPTER IX - DEFINITIONS

**A. Definitional Rules.** Terms include both singular and plural forms; i.e. building includes buildings, and except where otherwise indicated, terms also include derivatives; i.e. adjacent includes adjoining.

**B. Accessory Buildings and Uses.** Accessory buildings and uses are those customarily associated with and subordinate to a principal building or use.

**C. Adjacent.** As used in this ordinance, adjacent includes all parcels that directly border a lot and all parcels separated from the lot by only a public or private easement or right-of-way, including roads and irrigation canals.

**D. Administrator.** The zoning administrator, as established by II.B.

**E. Agricultural Land.** Land used for the production of crops and livestock or livestock products in or from the soil, or for accessory buildings, such as barns, silos, and machine sheds, necessary for the agricultural operation. Land used for dwellings is not agricultural land. Land used for commercial production of crops in greenhouses or other buildings or for the confinement of more than 200 head of livestock is industrial. Land used for the shopping, distribution, or processing of agricultural commodities is industrial.

**F. Building.** Any structure

**G. Building Bulk.** Building bulk may be measure and compared in terms of floor area ratio (the total square footage of all floors as a percent of lot size) and/or total building volume.

**H. Building Height.** The vertical distance from mean natural grade to the highest point on a building. Building height excludes chimneys, vents, and antennae.

**I. City.** The City of Dover, Idaho

**J. Clear Vision Triangle.** The area that provides the visibility required for safe access to streets. Clear vision triangles are determined as follows:

1. at street intersections: the clear vision triangle includes the area defined by extending a line between two points, one on each lot line paralleling the street, each of which is 45 feet from the lot corner at the intersection; and

2. at other points of access: the clear vision triangle includes the area defined by extending a line between two points, one on the lot line paralleling the street, and one on the out edge of the driveway, each of which is 15 feet from the point where the driveway crosses the lot line.

**K. Commercial.** Includes all land uses in SLUC 4923 and 4924, 52-59, 61-69, 71-79, and 8221, except as follows:

1. SLUC 637, which shall be considered an industrial use category; or

2. any use in SLUC 639, 64, 66, 72-79, or 8221 that includes an outdoor or only partially enclosed work and/or materials handling and/or storage yard of more than 5,000 square feet. All such uses shall be considered industrial.

**L. Compatibility.** Land uses need not be identical to be compatible, but must be sited, designed, constructed, and used in such a way that the normal functions and operation of neighboring uses do not seriously conflict, and so that their appearance is harmonious.

**M. Council.** The elected governing board of the City of Dover

**N. Density.** The number of dwelling units per gross acre. Gross acreage includes the entire development (roads, common open spaces, etc.). Density is not synonymous with lot size.

**O. Development.** Development is used as a generic term covering any and all activities regulated by this ordinance. The developer is, by definition, the owner of the parcel on which a development has been proposed, but owners may appoint a representative for any proceedings required by this ordinance.

**P. Effective.** An effective buffer complies with the performance standards of Appendix D.

**Q. Emergency Planning and Community Right-To-Know Act of 1986.** Abbreviated as EPCRA. Refers to 42 USC 1101-11050, as amended.

**R. Hazardous Substances.** Any material regulated by EPCRA (see IX.Q).

**S. Home Occupation.** A commercial activity conducted in a dwelling or a building accessory to a dwelling. Home occupations, by definition, comply with the performance standards of Appendix B.

**T. Industrial.** Includes all land uses in SLUC 21-51, 637, and 82-89, plus any use defined as industrial by IX.K, except:

1. SLUC 4923 and 4924; and
2. SLUC 8221 (except where covered by IX.K.2.).

**V. Large Scale Development.** Any subdivision or land use change, or group of subdivisions or land use changes created from the same parcel, that includes more than 100 proposed dwelling units or that potentially generates more than 1,000 automobile trips per day at peak occupancy.

**W. Local Planning Act.** Also Local Planning Act of 1975. Refers to I.C. 67-6501 through I.C., 67-6537, and subsequent amendments.

**X. Lot.** For the purposes of this ordinance, lot is used as both a generic term for a development site, and to refer to any parcel of land described by a record of survey, plat, or deed.

**Y. Lot Coverage.** Includes all impervious or largely impervious surfaces, including compacted gravel surfaces. In the absence of specific plans, it is presumed that a minimum of 6,000 square feet of lot coverage will be created from each detached dwelling unit proposed.

**Z. Lot Split.** Creation of any parcel of land of less than 20 acres for the purpose of sale, lease, rental or development.

**AA. Manufactured Home.** A structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet, and which is designed to be placed on a permanent foundation, permanently connected to all required utilities, and used as a permanent dwelling unit.

**BB. Minor Utility Installations.** Includes cable television, electric power, and telephone cables and transmission lines, and natural gas pipelines that serve the area through which they are routed. Also includes transformer boxes and other minor appurtenances to those transmission lines or pipelines. Other utility installations are industrial uses.

**CC. Minimize.** For the purposes of this ordinance, "to minimize" the number of access points means to show that no alternative site plan for a proposed development will result in a smaller number of access points.

**DD. Non-Conforming.** Term used to describe any use or building that was in existence on the effective date of this ordinance that does not comply with its requirements.

**EE. Occupancy.** The use of a building or lot. Occupancies are classified using the Standard Land Use Coding System (SLUC).

**FF. Plat.** The legal map of a subdivision.

**GG. Principal Building.** On residential lots, the dwelling.

**HH. Public Buildings.** Includes schools, libraries, and any building for the conduct of local, state, or federal government functions, except where such a building includes an outdoor or only partially enclosed work and/or materials handling and/or storage yard of more than 5,000 square feet. Such uses shall be considered industrial.

**II. Replacement Signs.** Replacement of a sign includes the replacement of any sign component or a change in copy. Nonconforming signs have a right to the copy displayed on the effective date of this ordinance only.

**JJ. Setback.** The distance between the property line and the outer wall, at grade, of the principal building on the same lot.

1. The front setback is measured from the lot line paralleling a public street to the principal building. Corner lots have two front yards.

2. The rear setback is measured from the rear lot line to the principal building. The rear lot line is parallel, or more or less parallel, to the street. Corner lots have two

rear yards, but may treat either as a side yard for the purposes of this ordinance.

3. The side setback is measured from the side lot line to the principal building.

**KK. Sign.** Any object or structure used to identify, advertise, or in any way attract or direct attention to any use, building, or person by any means, including, but not limited to, the use of lettering, words, pictures, and other graphic depictions or symbols. The following kinds of signs are defined for use in the administration of this ordinance. Any kind of sign not defined here is prohibited by VIII.C.

1. Awnings. Fabric shelters supported by a rigid framework attached to a building.

2. Construction Signs. Are ground or wall signs that identify a building under construction. They include no advertising or promotional copy, but may identify the building's planned use, owners or operators, designers, construction contractors, and financiers.

3. Directional Signs. On-site directional signs identify points of access, the direction of travel, and handicapped parking spaces, and to perform similar functions in off-street parking and loading areas. They include no advertising or promotional copy, but may include a logo.

4. Home Occupation Signs. See Appendix B.

5. Ground Signs. Freestanding signs that do not exceed six feet in height above grade.

6. Logo. A logo is a simple graphic symbol used to identify a use or product.

7. Nameplates. Wall signs that identify the occupants and address of a residence.

8. Real Estate Signs. Wall signs or ground signs which indicate that the property on which they are placed is for sale, lease, or rent.

9. Suspended Signs. Are attached to the ceiling of an arcade or canopy and hang over a sidewalk with a vertical clearance of at least eight feet.

10. Traffic Control Signs. Standard regulatory signs, including stop and yield signs, speed limit signs, etc.

11. Wall signs. Are either painted directly on the wall of a building or attached to the wall of a building, and parallel with the wall to which they are attached. Attached wall signs extend no more than one foot from the building to which they are attached. Wall signs do not extend above the roof line of the building to which they are attached.

12. Window Signs. Appear within the frame of a window and are affixed directly to that window. Window displays of merchandise are not signs, provided that no part of the display is affixed to the window.

**LL. Single Family Dwelling.** A detached building designed for occupancy by one family. Also includes, as required by I.C. 67-6530 through 67-6532, "any home in which eight or fewer unrelated mentally and/or physically handicapped persons reside; and which is supervised". Includes both conventional dwellings and manufactured homes that:

1. comply with the National Manufactured Home construction and Safety Standards Act (40 USC 5401) or the Uniform Building Code;
2. have all hitches, wheels, chassis, and other running gear removed and are attached to a permanent foundation; and
3. are permanently connected to utilities.
4. Recreational vehicle and travel trailers shall not be used as single family dwellings.

**MM. Site Plan.** A site plan illustrates all those details of a proposed development needed to demonstrate compliance with this ordinance, including the location of existing and proposed property lines, easements, buildings, parking areas, streets, sidewalks, buffers, and other features of the site.

**NN. Standard Land Use Code.** Abbreviated SLUC. The standard land use code is a method of classifying land uses adapted from the Standard Land Use Coding Manual, U.S. Department of Transportation, Federal Highway Administration, as reprinted in March 1977.

**OO. Subdivision.** Division of a parcel into more than two lots or parcels of less than 20 acres for the purpose of sale, lease, rental or development.

**PP. Variance.** According to I.C. 67-6516, "A variance is a modification of the requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear 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." Land use cannot, by definition, be varied.

**QQ. Yard.** The area between the lot lines and the principal structure created by the required setbacks.

**AA. Land Disturbance.** Any and all activity that alters the natural cover or topography. Normal agricultural and forestry practices are exempted, but this exemption does not include construction of agricultural or forestry buildings or processing of farm or timber products. It shall be assumed that the area of disturbance for any raw land subdivision is 10,000 square feet for each dwelling unit proposed, plus the area of all proposed roads. The administrator shall prepare an estimate of land disturbance for raw land subdivisions with other uses. This assumption would allow the following approximate densities of development at varying land disturbance limits:

Disturbance Limitation	Acres per Dwelling Unit
1% .....	23.0
2% .....	11.5
5% .....	4.6
10% .....	2.3
20% .....	1.1
25% .....	0.9

**MM. Open Space.** Includes croplands and irrigated pastures, grazing lands, commercial forest lands, lands used for recreation without facilities ("for fee" hunting areas are one example), and any "common" lands dedicated to open space primarily for the enjoyment of subdivision lot owners. Open space may be included in individual lots, but only where the development plan clearly identifies the open space portion of each lot and prevents the development of that area. **There is no implication that open space is or should be public.** Open space areas may be crossed by roads or utility corridors, but the number and width of such crossings shall be minimized. Recreational trails may be located in open space areas.