Chapter 15
Definitions
Chapter 15 - Definitions

A.

ABANDON. To cease or discontinue a use or activity without intent to resume but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving a facility, or during periods of vacation or seasonal closure.

ABUTTING. Having property lines in common. Separation by a street or alley is not considered abutting.

ACCESSORY BUILDING (STRUCTURE). A structure on the same lot or parcel as a principal structure, the use of which is incidental and subordinate to the principal structure, such as a detached garage, and does not include a dwelling unit.

ADMINISTRATOR. City of Driggs Planning and Zoning Administrator or Planning Director.

AGRICULTURAL BUILDING. A building used for agriculture associated with farming that satisfies the standards of an accessory structure.

AGRICULTURE, EXCLUSIVE. For purposes of interpreting the Idaho Code related to this title on lands designated as exclusively agricultural in use, the following conditions apply:

A. All such lots shall be for agricultural purposes as the primary use of the land parcel. To determine primary use, the use of land parcel shall be clearly for tilling of soil, horticulture, floriculture, forestry, viticulture, raising crops, raising livestock, farming, dairying and animal husbandry, including uses customarily accessory and incidental thereto, but excluding slaughterhouses and commercial feedlots.

B. Land shall not be defined as exclusively agricultural in use when determined to be a land development program where subdivision of land is evident for suburban residential development lifestyle purposes.

AIRPORT. Any area of land or water which is used or intended for use by aircraft and including the necessary appurtenant structure or facilities located thereon. See Article 9.3.

ALLEY. A public or private thoroughfare which affords only a secondary means of access to abutting property.

APPEAL. A request for review of a previously made decision or interpretation of provisions of this Title. The procedure is outlined in this Title.

APPLICANT. A person submitting an application for approval under this Land Development Code.

APPLICATION. The documents submitted to the city to apply for a permit to fulfill the requirements of the city ordinances with regard to land use. An application is deemed complete and officially received by the city at the time the applicable application checklist items are complete and confirmed in writing and dated by the Planning Administrator.

AREA OF SHALLOW FLOODING. A designated AO or AH Zone on a community’s Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet, and/or where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

AREA OF SPECIAL FLOOD HAZARD. The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given
year. Zone designations on FIRMs include the letters A, AE, V. Also known as the Special Flood Hazard Area (SFHA).

B.

BASE FLOOD. The flood having a one percent chance of being equaled or exceeded each year. Also known as the "Regulatory Flood."

BASE FLOOD ELEVATION (BFE). The water surface elevation during the base flood in relation to a specified datum. The Base Flood Elevation (BFE) is depicted on the FIRM to the nearest foot and in the FIS to the nearest 0.1 foot.

BASEMENT. The portion of a structure including crawlspace with its floor sub grade (below ground level) on all sides.

BERM: A shaped and sloped mound or embankment of earth capable of holding vegetation or ground cover, usually two to six feet high, used to shield or buffer a property from adjoining uses, highways, or noise.

BLOCK. The space along one side of a street between the two (2) nearest intersecting streets, or between an intersecting street and a right of way, waterway or other similar barrier, whichever is lesser.

BUFFER. A strip of land located between a side or rear property line and a building, structure, or use, intended to separate and obstruct the view of the site on which the buffer is located from an abutting property.

BUILDING. See "Structure"

BUILDING ENVELOPE. That area of a lot that encompasses all building improvements and appurtenances including but not limited to: Excavation, fill, grading, storage, demolition, structures, decks, roof overhangs, porches, patios and parking. Building envelopes are encouraged, in developments throughout the City to protect scenic vistas, and to ensure defined building sites within special development subdivisions and planned unit developments.

BUILDING LINE. The line, parallel to the street, that passes through the part of the principal building nearest the front lot line.

C.

CALIPER. A nursery standard of tree trunk measurement for understory trees or replacement trees. Caliper of the trunk shall be taken at 6 inches above the ground for trees up to and including 8-inch caliper size.

CITY. The city of Driggs, Idaho.

CITY ENGINEER. An Idaho registered professional engineer or consulting engineering firm designated by the council to represent the city’s engineering interests.

CITY IMPACT AREA: That unincorporated area officially adopted and defined by as the “area of impact”.

COLOR TEMPERATURE. Measure of the color spectrum of light, expressed in kelvins (K), as either its color temperature or its correlated color temperature (CCT) specified by the lamp manufacturer and displayed as “Light Appearance” on Lighting Facts packaging labels.

Lamps rated at higher color temperatures (above 4000K) are perceived as “cool” or “daylight” colors, signaling a greater spectral content of blue-violet light (shorter wavelengths) and a greater contribution to skyglow, glare, and circadian interruption. Lower color temperatures (below 3000K) are perceived as “warm” colors, signifying a greater spectral content of yellow-red light (longer wavelengths) and a lesser contribution to skyglow, glare, and circadian interruption.

COMMISSION. The Driggs Planning and Zoning Commission, hereinafter referred to as the commission.

COMPREHENSIVE PLAN. A comprehensive plan, or parts thereof, projecting future growth and development and for the general location and coordination of streets and highways, schools and recreation areas, public building sites, and other facilities, which shall have been duly adopted. This plan shall comply with the Idaho Code, as adopted or amended.

CONDITIONAL APPROVAL. An affirmative action by the commission indicating that approval is given subject to certain specified stipulations.

CONDOMINIUM. An estate consisting of an undivided common interest in real property, together with a separate interest in real property, or any combination thereof.

COUNCIL. The Driggs City Council, hereinafter referred to as the council.

COUNTY RECORDER. The office of the County Recorder.

CRITICAL FACILITY. Means a facility that is critical for the health and welfare of the population and is especially important following hazard events. Critical facilities include essential facilities, transportation systems, utility systems, high potential loss facilities and hazardous material facilities.

CRITICAL ROOT ZONE. The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone will typically be represented by a concentric circle centering on the tree’s trunk with a radius equal in feet to 1.5 times the number of inches of the trunk diameter.

CULVERT. A drain that channels water under a bridge, street, road or driveway.

CURB CUT. The providing of vehicular ingress and/or egress between property and an abutting street.

D.

DATUM. The vertical datum is a base measurement point (or set of points) from which all elevations are determined. Historically, that common set of points has been the National Geodetic Vertical Datum of 1929 (NAVD29). The vertical datum currently adopted by the federal government as a basis for measuring heights is the North American Vertical Datum of 1988 (NAVD88).

DEDICATION. The setting apart of land or interest in land for use by the public. Land becomes dedicated when accepted as a public dedication either by ordinance, resolution, or entry in the official minutes of the city or by the recording of a plat showing such dedication.

DENSITY. The number of dwelling units per gross acre, including the land dedicated to streets.

DEVELOPER. A person who undertakes land development activities.

DEVELOPMENT. Means any human-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, stream alteration, dredging, filling, grading, paving, excavation, drilling operations, and storage of equipment or materials.
DEVELOPMENT MASTER PLAN (DMP). A preliminary master plan for the development of a large, unusual or complicated land area, the platting of which is expected in progressive stages. A DMP may be designed by a subdivider, planner, or engineer and shall be subject to approval of the commission; except, that a DMP does not fulfill the requirements of the preliminary platting process of this title.

DIFFUSED LIGHT. Light output whose glare is softened by dispersal through a fixture's frosted, matte, textured, translucent, or other light-diffusing lens or globe.


DIRECT LIGHT. Light emitted directly from a fixture's light source, namely from the lamp and its diffusing, reflecting, refractive, focusing, or other integrated fixture elements designed to project and radiate light.

DIRECTIONAL AXIS OF LIGHT. For a flood or spotlight, the centerline of a beam or cone of light, normally perpendicular to the fixture lens, for an area fixture, the axis of maximum light output.

DWELLING UNIT. One or more rooms designed for or used as a residence for not more than one family, including all necessary household employees of such family and constituting a separate and independent housekeeping unit, with a single kitchen facility permanently installed. A dwelling unit must be placed on a permanent foundation that complies with the International Residential Code. The term does not imply or include such types of occupancy as a lodging or boarding house, club, sorority, fraternity or hotel.

E.

EASEMENT. A grant by the owner of the use of a parcel of land by the public, corporation, or persons for specified use and purposes and so designated on a plat.

ENGINEER. Any person who is registered and certified in the state of Idaho to engage in the practice of professional engineering.

ENGINEERING PLANS. Plans, profiles, cross sections, and other required details for the construction of improvements, prepared by a registered professional engineer in accordance with the approved preliminary plat and in compliance with existing standards of design and construction.

EXCEPTION, LAND. Any parcel of land which is not a part of the subdivision.

EXISTING CONSTRUCTION. Means a structure for which the "start of construction" commenced before August 4, 1988.

F.

FAMILY. One or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit, provided that a group of 5 or more persons who are not within the second degree of kinship shall not be deemed to constitute a family unless such 5 or more persons qualify as a group residence as described in Idaho Code section 67-6531.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). The agency with the overall responsibility for administering the National Flood Insurance Program.

FINAL APPROVAL. Unconditional approval of the final plat as evidenced by appropriate certifications on the plat. Such approval constitutes authorization to record a plat.

FIXTURE. Complete lighting unit consisting of one or more lamps and those components designed to energize, house, position, or protect the lamp(s), together with other integrated parts (such as a lens, reflector, refractor, globe, structural element) that function with the lamp(s) to emit, control, focus, direct, project, and disperse light. Not included is the support (such as pole, armature, mounting bracket) to which the fixture is attached. Multiple fixtures when attached to a common support assembly remain as multiple, individual fixtures.

FLOOD OR FLOODING. A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters; or
2. The rapid accumulation or runoff of surface waters from any source.

FLOOD FRINGE. The portion of the floodplain outside of the floodway covered by floodwaters during the regulatory flood.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, issued by the Federal Insurance Administration, delineating the areas of special flood hazard and/or risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS). The official report by the Federal Insurance Administration evaluating flood hazards and containing flood profiles, floodway boundaries and water surface elevations of the base flood.

FLOODLIGHT. Fixture that projects light in a broad, directed beam, typically of two lamp types: simple lamps whose supporting optic elements are part of the fixture casement having wide beam-spread angles up to 110 degrees; or sealed-beam lamps with internal parabolic reflectors having narrower beam-spread angles of 25 to 55 degrees. Designation as a floodlight is ordinarily displayed on lamp packaging.

FLOODPLAIN. Means the land that has been or may be covered by floodwaters, or is surrounded by floodwater and inaccessible, during the occurrence of the regulatory flood. The riverine floodplain includes the floodway and the flood fringe. (I.C. 46-1021)

FLOOD PROOFING. Measure designed to prevent and reduce flood damage for those uses or structures located in the floodplain, including measures to prevent floodwaters from entering structures.

FLOOD PROTECTION ELEVATION (FPE). An elevation that corresponds to the elevation of the one percent (1%) chance annual flood (base flood), plus any increase in flood elevation due to floodway encroachment, plus 1 foot of freeboard. Therefore the Flood Protection Elevation for The City of Driggs is equal to BFE plus floodway elevation (if present) plus one (1) foot freeboard.

FLOODWAY (REGULATORY FLOODWAY). The channel of a river or other watercourse and those portions of the floodplain adjoining the channel required to discharge and store the floodwater or flood flows associated with the regulatory flood.

FLOOR AREA, GROSS. The sum of the areas of the several floors of a building, including any area used for human occupancy in the basements and attics, as measures from the exterior faces of the walls.

FLOOR AREA, NET. That portion of the gross area of the building occupied by the listed use or uses.

FOOTCANDLE. Measure of visible illuminance equivalent to the radian of one lumen distributed uniformly at a distance of one foot onto a surface of
one square foot, measurable by a light meter. In this ordinance, footcandle units are referenced to the initial-lumen-output rating of the fixture lamp.

FREEBOARD. A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams and the hydrologic effects of urbanization in a watershed.

FRONTAGE. The length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

FUNCTIONALLY DEPENDENT FACILITY. A facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

FUTURE ACQUISITIONS MAP (applies to Airport). The map shall designate land proposed for acquisition by a public agency for a maximum 20-year period. Lands designated for acquisition may include land for:
1. Streets, roads, other public ways, or transportation facilities proposed for construction or alteration;
2. Proposed schools, airports, or other public buildings;
3. Proposed parks or other open spaces; or
4. Lands for other public purposes.

G.

GARAGE. Garage means a building or floor area within a building intended to be used for the parking or storage of motor vehicles.

GLARE. Effect caused by light sufficiently greater than that to which the eye is readily adapted such that annoyance, physical discomfort, or visual impairment is experienced by an observer.

GRADE. The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line.

H.

HEIGHT. See Article 2.5.

HIGHEST ADJACENT GRADE (HAG). The highest natural elevation of the ground surface prior to construction, adjacent to the proposed walls of a structure. Refer to the Elevation Certificate, FEMA Form 81-31, for HAG related to building elevation information.

HEALTH DEPARTMENT. The Idaho state health or district health agencies.

HIGH WATER MARK. The line that the water impresses on the soil by covering it for sufficient periods of time to prevent the growth of terrestrial vegetation (IDAPA 58.01.03 Onsite Sewage Disposal Rules). Additional indicators of OHWM that may be present include but are not limited to: top of point bars or depositional areas, break in bank slope, edge of active floodplain, edge of perennial vegetation.

HISTORIC STRUCTURE. A structure that is:
1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or to a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
   a. By an approved state program as determined by the Secretary of the Interior, or
   b. Directly by the Secretary of the Interior in states without approved programs.

HORIZONTAL PLANE. Parallel to the plane of the horizon, or 90 degrees above nadir as determined by an ordinary carpenter’s level.

HORIZONTALLY CUTOFF FIXTURE. Lighting fixture that is designed, constructed, and installed so as to prevent any light to project at or above the horizontal plane passing through the lowest light-emitting portion of the fixture—including from the lamp source or any integrated reflective, refractive, focusing, diffusing, or other radiating surface. Fixtures satisfying this definition as horizontally cutoff when appropriately installed include “full cutoff” as defined by the Illuminating Engineering Society of North America (IES), and “Dark-Sky Friendly” as designated by the International Dark Sky Association (IDA).

I.

ILLUMINATION. The amount of light incident on a surface.

IMPERVIOUS SURFACE. A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, lime, rock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

IRRIGATION FACILITIES. Includes canals, laterals, ditches, conduits, gates, weirs, pumps, and allied equipment necessary for the supply, delivery and drainage of irrigation water.

J.

JUNK. Dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, bed and bedding, rags, motor vehicles and parts thereof.

K.

KELVINS (K). A unit of absolute temperature measured by the Kelvin scale. In this ordinance, kelvins (K) is the reference color temperature of the light spectrum emitted by a lamp.

KITCHEN FACILITIES. An area clearly intended for cooking, as determined by the Building Official, that includes appliances or permanent fixtures such as a cook top or sink.
L.

LAMP. Component, tube, or bulb of a fixture that produces light when energized. Multiple lamps within a single fixture are lumen-rated additively as if a single lamp.

LAMP STRING. Multiple, interconnected lamps attached to a single electrical source, but not additionally housed as is typical within a fixture. Included are “light strings” commonly used as Christmas lighting, “rope lights” strung within a continuous protective sheath, and similar interconnected aggregations of LED lamps integrated within individual light-dispersing refractors.

LANDSCAPE MATERIAL. Any combination of living plants and non-living materials, such as rock, pebbles, sand, mulch, pavers, berms, walls, and other decorative materials.

LANDSCAPING. The planting and arranging of landscape materials to enhance the aesthetic and functional qualities of a site.

LARGE SCALE DEVELOPMENT. A residential subdivision, the size of which consists of twenty-five (25) or more lots or dwelling units, or a commercial subdivision containing five (5) or more acres of land.

LETTER OF MAP CHANGE (LOMC). An official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

LETTER OF MAP REVISION (LOMR). A revision based on technical data that, usually due to man-made changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination that a structure or parcel has been elevated by fill above the base flood elevation and is excluded from the special flood hazard area.

LETTER OF MAP REVISIONS, CONDITIONAL (CLUDMR). A formal review and comment by FEMA as to whether a proposed project complies with the minimum National Flood Insurance Program floodplain management criteria. A CLUDMR does NOT amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

LEVII. A man-made structure, usually an earthen embankment, designed and constructed according to sound engineering practices, to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVII SYSTEM. A flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LIGHT. Radiant energy that can be sensed or seen by the human eye; Visible light is measured in lumens.

LIGHT TRESPASS. Spillage or intrusion of direct light projected beyond the property of origin.

LIGHTING PLAN. Documents specific to a land use that describe the location and characteristics of all exterior lighting and the light levels on the property and at the property boundaries.

LOT. See Article 2.1 for all definitions related to Lots and their measurement.

LOT OF RECORD. Any lot that is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Teton County, Idaho, is a “lot of record.” Any parcel/lot described in a deed, sales contract, or survey, that was recorded in the office of the Recorder of Teton County, Idaho before August 5, 1972, is a “lot of record.” Any parcel/lot described in a deed, sales contract, or survey, that was recorded in the office of the Recorder of Teton County, Idaho between August 5, 1972 and June 2, 1997, which met the minimum size and dimensions for lots in the zone district in which it was located at the time of recording, is also a “lot of record.”

LOWEST ADJACENT GRADE (LAG). The lowest point of the ground level next to the structure. Refer to the Elevation Certificate, FEMA Form 81-31, for LAG related to building elevation information.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement) used for living, working, storage, cooking and eating, or recreation, or any combination thereof. This includes any floor that could be converted to such a use including a basement or crawl space. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a structure’s lowest floor. The lowest floor is a determinate for the flood insurance premium for a building, home or business.

LUMEN. Unit of luminosity (luminous flux) measuring the rate at which a lamp emits all visible light in all directions, weighted to the sensitivity of the human eye; approximated by the light produced by a standardized candle divided by 12.56.

In this ordinance, lumen references are to the initial-lumen-output rating of a “new” lamp (not the mean or maintained lumen output) as specified by the manufacturer and displayed as “Brightness” on Lighting Facts packaging labels.

LUMINAIRE. The complete lighting unit, including the lamp, the fixture, and other parts.

M.

MASTER PLAN. An overall plan for the development of a large or complicated land area, of which the platting and/or installation of improvements is expected in progressive stages.

MEAN SEA LEVEL. For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community’s FIRM are referenced.

MOBILE HOME. A transportable, factory built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

MANUFACTURED HOME. A single-family unit fabricated in one or more sections at a location other than the home site by assembly line or similar production techniques or by other construction methods typical of off-site manufacturing process. Every section must bear a label certifying that it is built in compliance with the “Federal Manufactured Home Construction and Safety Standards, June 15, 1976” (42 U.S.C. Sec. 5401). A manufactured home may be designed to be towed on its own chassis or be delivered to the site by other means.

MANUFACTURED HOUSING COMMUNITY, EXISTING. Means a manufactured home park or subdivision where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the
installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads was completed before August 4, 1988.

MANUFACTURED HOUSING COMMUNITY, EXPANSION TO EXISTING. Means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

MANUFACTURED HOUSING COMMUNITY, NEW. A place where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading or the pouring of concrete pads) is completed on or after August 4, 1988.

MULTI-TENANT BUILDING. One building shared by two or more tenants that are separate tax entities.

MULTI-BUSINESS COMPLEX. A group of structures housing at least two separate businesses or agencies, or a single structure containing more than one business with separating walls and at least one outside access for each business which shares a common lot, access and/or parking facility.

N.

NEIGHBORHOOD PLAN. A plan to guide the platting of remaining vacant parcels in a new or partially built up neighborhood so as to make reasonable use of all land, correlate street patterns, and achieve the best possible land use relationships.

NEW CONSTRUCTION. A structure for which the "start of construction" commenced after August 4, 1988, and includes subsequent improvements to the structure.

NONCONFORMING BUILDING. Any building which does not meet the limitations of building size or location on a lot for the district in which the building is located and which was built prior to the effective date hereof.

NONCONFORMING USE. A land use or activity, which was lawful prior to the adoption, revision, or amendment of this title but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of this title.

O.

OCCASIONAL LIGHTING. Illumination that is infrequent, or intermittent; and controlled by a manual or timer-operated switch, or by a motion sensor not activated by off-property movements.

OPEN SPACE. Any developed or predominantly undeveloped land which may be set aside for the following:
A. Park and recreation purposes.
B. Conservation of land and other natural resources.
C. Historic or scenic purposes.

ORDINARY HIGH WATER MARK. The line on the shore established by the fluctuations of water indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

OUTDOOR LIGHTING. Illumination of an area exterior to an enclosed structure. Included are open-air spaces under a roof cover but not fully contained such as a canopy, pavilion, drive-through bay, or parking deck.

OUTDOOR STORAGE. The keeping, in an unroofed area, of any goods, junk material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

OWNER. The person or persons, corporation, or legal entity holding title by deed to land, or holding title as vendees under land contract, or holding any other ownership interest.

P.

PARCEL/TRACT. A lot or tract as recorded on any plat or record on file in the office of the county assessor, or any unplatted, contiguous parcel of land held in one ownership and of record at the effective date hereof and its amendments.

PEDESTRIANWAY. A public right of way dedicated as a walkway entirely through a block from street to street and/or providing access to a school, park, recreation area, or shopping center.

PLANNED UNIT DEVELOPMENT (PUD). Residential, commercial and/or industrial use, or combination thereof, planned for a tract of land to be developed as a unit under single ownership or control.

PLANNING DEPARTMENT. The Planning & Zoning Department of Driggs, Idaho.

PLANNING AND ZONING COMMISSION. The Planning and Zoning Commission of Driggs, Idaho.

PLAT. The drawing, map or plan of a subdivision, cemetery, townsite or other tract of land, or a replatting of such, including certifications, descriptions and approvals.

POWER SPORTS VEHICLE. Motor vehicles used for recreation purposes including all-terrain vehicles, motorbikes, snowmobiles, and other utility type vehicles.

This definition does not include agricultural equipment, vehicles or trailers that serve as temporary dwellings, or boats.

PRIMARY ROAD. When a structure fronts on more than one road, the primary road is the road with the higher classification.

PRINCIPAL (PRIMARY) BUILDING. A structure or, where the context so indicates, a group of structures in which the principal use of the lot is conducted.

PRINCIPAL (PRIMARY) USE. The main use of land or structures as distinguished from a secondary or accessory use.

Q.

No terms beginning with the letter Q are defined at this time.

R.

RECORDED PLAT. A final plat bearing all of the certificates of approval required in this title and duly recorded in the Teton County recorder’s office.

REGULATORY FLOODWAY. The channel of a river or other watercourse 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 a designated height.

REPETITIVE LOSS. Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost where the construction of facilities for servicing the lots on which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
RESERVE STRIP. A strip of land between a dedicated street or partial street and adjacent property, in either case, reserved or held in public ownership for future street extension or widening.

RIGHT OF WAY. A parcel of land dedicated or reserved for use as a public way which normally includes streets, sidewalks, utilities or other service functions.

RIPARIAN. Of, adjacent to, or living on a surface water feature that receives hydrologic support from that water feature and supports vegetation that is differentiated from the surrounding uplands areas.

Areas contiguous to and affected by surface and subsurface hydrologic features of perennial or intermittent water bodies (rivers, streams, lakes, or drainage ways). Riparian areas generally have distinctly different vegetative species than adjacent areas, or similar species with more robust growth than adjacent areas. Riparian areas are often located between wetland and upland areas.

S.

SETBACK. A line demarcating that portion of the lot specified must remain devoted to a yard, and the buildable portion of the lot. Building setbacks and “yard” are considered one and the same. See Article 2.2 and the definitions of “yard” See Section 2.4.2 for allowed encroachments into setbacks.

SHADE TREE. A tree that composes the top layer or canopy of vegetation and will generally reach a height of greater than 50 feet.

SIGN. Any combination of words, letters, numbers, images, or symbols, designed to attract the attention of, or communicate information to, the public, when in the public realm or right-of-way.

SIGN, ABANDONED. Any sign applicable to a use which has been discontinued for a period of sixty (60) days or more.

SIGN, CLEAR HEIGHT. For building signs, the measurement of the bottom of the sign above the adjacent finished grade.

SIGN, INCIDENTAL. A sign that has a purpose secondary to the use of the lot on which it is located.

SIGN, LENGTH. The horizontal measurement of sign area.

SIGN, FACE. That portion of the sign, excluding the supporting structure, where the words, letters, numbers, images, or symbols can be placed.

SIGN, HEIGHT. The vertical measurement of sign area for building signs and the vertical measurement of the entire sign structure for freestanding, entry feature, and sidewalk signs.

SIGN, PROJECTION. The horizontal measurement of the sign structure from the façade of the building where the sign is mounted.

SIGN, WIDTH. The measured thickness of a sign.

SIGN, WINDOW. Any sign that is placed inside a window or upon the window glass panes and is visible by and legible to the public from the exterior of the window. This term does not include merchandise displays.

SPECIAL FLOOD HAZARD AREA (SFHA) see AREA OF SPECIAL FLOOD HAZARD

SPOTLIGHTS. Fixtures that project light in a narrow beam centered on a directional axis. Related lamps typically are sealed-beam with internal parabolic reflectors and beam-spread angles of 9 to 15 degrees. Designation as a spotlight is ordinarily displayed on lamp packaging.

STORY. That portion of a building compromised between a floor and the floor or roof next above. The first floor of a two- or multi-story building shall be deemed the story that has no floor immediately below it that is designed for living quarters or for human occupancy. Those stories above the first floor shall be numbered consecutively.

STREET. Any street, avenue, boulevard, road, lane, park way, place, viaduct, easement for access, or other way which is an existing state, county, or municipal roadway; or a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or a street or way in a plat duly filed and recorded within the right of way boundaries, whether improved or unimproved, and may be comprised of pavement, shoulder, curbs, gutters, sidewalks, parking areas, and lawns.

STREET, ALLEY. A public service way used to provide secondary vehicular access to properties otherwise abutting upon a street.

STREET, ARTERIAL. A general term including expressways and major and minor arterial streets; and interstate, state or county highways having areawide or regional continuity.

STREET, COLLECTOR. A street that provides for traffic movement within neighborhoods of the city and between major streets and local streets and for direct access and abutting property.

STREET, LOCAL. A street that provides for direct access to residential, commercial, industrial, or other abutting land for local traffic movement and which connects to collector and/or arterial streets.

STREET, CUL-DE-SAC. A short local street having one end permanently terminated in a vehicular turnaround.

STREET, FRONTAGE. A minor street parallel and adjacent to an arterial route and intercepts local streets and controls access to an arterial route.

STREET, LOOP. A minor street with both terminal points on the same street or origin.

STREET, PRIVATE. A street within a subdivision plat that is not dedicated to the public and not a part of a public highway system.

STREET, PUBLIC. A road, thoroughfare, alley, highway or bridge under the jurisdiction of a public highway agency.

STRUCTURE. A walled and roofed building, including a gas or liquid storage tank that is principally above ground. Structure shall include a manufactured home.

SUBDIVIDER. The individual, firm, corporation, partnership, association, syndication, trust, or other legal entity having sufficient proprietary rights in the property to represent the owner, that submits the required subdivision application and initiates proceedings for the subdivision of land in accordance with this title.

SUBDIVISION. See Article 14.5

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of its market value before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure at the time of improvement or repair. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed.

This term also includes “Cumulative substantial improvement”, which shall be defined as any reconstruction, rehabilitation, addition, or other improvement of a structure that equals or exceeds
The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. This term includes structures which have incurred “substantial damage”, regardless of the actual amount of repair work performed. The term does not include either:

(a) A project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications, which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

(b) Alteration of a Historic Structure, provided that the alteration will not preclude the structure’s continued designation as an Historic Structure.

SURVEYOR. Any person who is licensed in the State as a public land surveyor to do professional surveying.

TOP SHIELDED FIXTURE. A lighting fixture that allows glare, but the fixture’s upward transmission of light above the horizontal plane is contained either by its top-most opaque shielding or by its sheltered placement under a soffit, cornice, roof, canopy, or other structural element.

TUBE LIGHTING. Gas-filled glass tube or other closed shape that, when subjected to a high voltage, becomes luminescent in a color characteristic of the particular gas used, such as neon, argon, krypton, etc.; commonly known as “neon” lights. Not included as tube lighting are fluorescent lamps.

USABLE LOT AREA. That portion of a lot usable for or adaptable to the normal uses made of the property, excluding any areas which may be covered by water, excessively steep, or included in certain types of easements.

UTILITIES. Installations or facilities, underground or overhead, furnished for use by the public, including, but not limited to, electricity, gas, steam, communications, water, drainage, irrigation, sewage disposal, or flood control, whether owned and operated by any person, firm, corporation, municipal department, or board duly authorized by state or municipal regulations. Utility or utilities, as used herein, may also refer to such persons, firms, corporations, departments, or boards, as applicable herein.

V. VARIANCE. A modification of the requirements of this title as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings or other provision affecting the size or shape of a structure or the size of lots. The process is outlined in Chapter 14.

VICINITY MAP. A small-scale map showing the location of a tract of land in relation to a larger area. A vicinity map should be clearly labeled with road names and/or other clearly identifiable landmarks or features.

W. WATER SURFACE ELEVATION. The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other specified datum) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. Shall be delineated by and defined as the area bounded by Ordinary High Water Marks.

X. No terms beginning with the letter X are defined at this time.

Y. YARD. Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory buildings, or such uses as provided by this title. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the building line of the main building.

YARD, FRONT. A yard extending along the full width of a front lot line between side lot lines and from the front lot line to the front building line in depth.

YARD, REAR. A yard extending the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear line of the lot.

YARD SIDE. A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard. Side yard width shall be measured at right angles to the side lines of the lot.

ZONE/ZONING DISTRICT. A portion of city limits shown on the approved zoning map and associated with this title, and given formal zoning district designation.