

2025 Code Amendments

Cheat Sheet for Chapter 10, Article 1

1. Amend the table of contents to reflect current amendments to section titles
2. Added an applicability section, a compliance section and conformity requirements to 10-01-01.
3. Amended the purpose statement under 10-01-02 to better reflect the reasoning for zoning codes in accordance with and use laws.
4. Amended section 10-01-02-1 to make it clear where to find code requirements for the Hearing Examiner as well as the commission. Added subtitles to paragraphs.
5. Amended section 10-01-02-3 to reflect the change of the title of Planning and Zoning Director to Community Development Director, and to reference that any of the titles mean the director overseeing the planning and zoning operations and responsible for enforcement and administration of Chapter 10.
 - Made corrections to text errors in code references
 - Deleted processes that have never been done and are not required by statute
 - Provided criteria for some administrative decisions.
6. Section 10 -01-3
 - Amended the Section title
 - Added a table to better accurately reflect the zoning districts and added a reference to the location of code provisions for each
 - Deleted all of the purpose statements for the zoning districts as those have been relocated to their own Articles within the code. (Article 5,6,7,8,9,11)
 - Deleted the supplemental regulations for the RS-1 and RS-2 zoning districts as those have been relocated to Ch. 10 Article 5.
7. Section 10 -01-04
 - Amended the section title
 - Created a table to better accurately reflect the overlay zoning districts and added a reference to the location of code provisions for each.
 - Deleted all the text for the floodplain zone as that has been moved to Ch. 10 Article 11
 - Deleted the text for the SA special area overlay zone as this does not exist.
 - Deleted the text relative to Steunenberg as this text has been moved to Ch. 10 Article 11
8. Section 10-01-08
 - Added a new subsection E to address split zoning as part of a subdivision plat, and provided a reference to subsection E in subsection A.
9. Section 10- 01-09
 - Amended the text regarding the future land use map to describe the new adopted comprehensive plan and map.
 - Revised subsection (2) to address if a parcel has a split land use designation considering that comp plan map designations are not parcel specific.

10. Section 10-01-10

- Reformatted the entire section of definitions as it was not displaying correctly online from our codifiers.
- Changed definitions to address the “new” land use types. This was done to combine many land uses that could come under a single category.
- Added definitions that were needed to explain code provisions.

ARTICLE 1

TITLE, PURPOSE AND ZONING DISTRICTS

SECTION:

10-01-01: Short Title and Applicability

10-01-02: Authority And Purpose

10-01-02-1: Duties of the Commission

10-01-02-2: Duties of the Hearing Examiner

10-01-02-3: Duties of the Director

10-01-03: Zoning Districts ~~Purpose Statements~~ Established

10-01-04: ~~Regulations For~~ Overlay Districts Established

10-01-05: Official Zoning Maps And The Comprehensive Plan

10-01-06: Clarification Of Ambiguous Zoning District Boundaries

10-01-07: Comprehensive Plan And Zoning Ordinance Changes Upon Annexation Of Unincorporated Area

10-01-08: Split Zoning

10-01-09: Alignment Of Zoning With Comprehensive Plan Land Use Designations

10-01-10: Definitions

10-01-01: SHORT TITLE AND APPLICABILITY:

(1) Short Title: This chapter shall be known and may be recited and referred to as the CALDWELL ZONING ORDINANCE and all other ordinances and parts of ordinances in conflict herewith are hereby repealed upon the effective date of this chapter.

(2) Applicability: The regulations in this chapter shall apply and govern development and the use of all properties within the corporate limits of the City, in areas outside of City limits for which annexation has been requested; or as otherwise permitted through written agreement(s) with Canyon County, or by Idaho Code

(3) Compliance Required:

A. No person or public agency shall construct, alter, move, or change the use of a structure or undertake any development unless:

1. The proposed use, structure, or property complies with this chapter; and
2. Any required approval is first obtained, as provided by this chapter, and any applicable conditions of such approval are met.

B. Nothing in this chapter shall eliminate the need for obtaining any other permit(s) required by this Code, other political subdivisions or agencies of the State of Idaho.

C. The provisions of this chapter shall be in addition to, and shall not be deemed to repeal, abrogate, or impair any other ordinance, regulation, easement, covenant, or deed restriction.

D. Where this chapter imposes greater restrictions than those imposed by other laws or ordinances, this chapter shall prevail.

E. All properties in the City corporate limits shall comply with the regulations of this chapter unless otherwise preempted by federal statute or local law.

(4) Conformity With Regulations; Land Uses. It shall be unlawful for any land or premises to be used that is not in conformity with regulations herein set forth for the zoning districts in which said land or premises are located.

(5) Conformity With Regulations; Buildings and Structures. It shall be unlawful for any building or structure to be erected or structurally altered or be used that is not in conformity with the regulations herein set forth for the zoning districts in which such building or structure is located.

10-01-02: AUTHORITY AND PURPOSE:

(1) Authority: This chapter is adopted pursuant to authority granted by title 67, chapter 65 of the Idaho Code, and article 12, section 2 of the Idaho constitution, as amended or subsequently codified.

(2) Purpose: The purpose of this chapter ~~shall be to:~~ is to establish standards and regulations to govern the use of land and structures in the City and for review and approval

of all proposed development of property in the City, and to provide a development review process that will be comprehensive, consistent, and efficient in the implementation of the Comprehensive Plan and any applicable policies, master plans, or area plans. This chapter is specifically intended to:

A. Carry out the intent and purposes of the "Local Land Use Planning Act", Idaho Code § 67-6501 et seq., as amended.

B. A. Conserve and Promote the interest of public health, safety and general welfare of present and future residents.

B. Protect property rights and preserve and enhance property values.

C. Ensure that adequate public facilities and services are provided to the people at a reasonable cost. Carry out the policies of the comprehensive plan by classifying and regulating the uses of property and structures within the incorporated areas of the City of Caldwell and planning for future growth and land use patterns within the area of city impact and planning boundaries.

D. Ensure that the economy of the state and localities is protected and enhanced. Establish districts within the City of Caldwell in accord with the adopted comprehensive plan and in conformance with Idaho Code § 67-6511.

E. Ensure that the important environmental features of the state and localities are protected and enhanced.

F. Encourage the protection of prime agricultural, forestry and mining lands for production of food, fiber and minerals. Aid in the harmonious, orderly, and progressive development of the city while ensuring satisfactory interrelationships of residential, commercial, industrial, agricultural, recreational, and open space areas of the city through the regulation of land uses within each zoning district, bulk and dimensional standards, landscaping and buffering, and conformance with the city's comprehensive plan;

G. Encourage urban and urban type development within incorporated cities, by ensuring that land densities increase more as you get closer to the center of the city and along major transportation corridors, with densities decreasing as you get closer to the city's planning boundary. This is accomplished through conformance with the comprehensive plan and through the regulation of land uses and densities based on zoning district.

H. Avoid undue concentration of population and overcrowding of land. Ensure the intensity of land uses are appropriate and any negative impacts are mitigated.

I. Ensure that the development on land is commensurate with the physical characteristics of the land. Ensure the use of land and properties is in conformance with city codes, policies, laws, and with the city's comprehensive plan;

J. Protect life and property in areas subject to natural hazards and disasters. Provide standards for the orderly growth and development of the City of Caldwell as required by Idaho Code § 67-6511, such standards include, but are not limited to, those regulating:

1. The height, number of stories, massing and scaling, architectural design, setbacks, construction, reconstruction, alteration, repair, and location, placement and orientation of structures.

2. The required lot size, lot frontage, parking, pedestrian amenities, site improvements, open space, landscaping, and site design of all properties.

3. The use, intensity, and density of all structures, properties and developments.

K. Secure safety from fire and provide adequate open spaces for light and air.

L. Protect fish, wildlife and recreation resources.

M. Avoid undue water and air pollution.

N. Allow local school districts to participate in the community planning and development process so as to address public school needs and impacts on an ongoing basis.

O. Promote implementation of the comprehensive plan.

P. Stabilize expectations regarding the future development of the city, thereby providing a basis for wise decisions with respect to such development.

10-01-02-1: (3) ~~Duties Of The Commission~~ DUTIES OF THE COMMISSION / HEARING EXAMINER:

(1) Commission: For the purpose of this chapter, the commission shall have the following duties:

A. Initiate proposed amendments to this chapter and conduct appropriate reviews of this complete chapter.

B. Review proposed amendments to this chapter and make recommendations to the council.

C. Review planned unit developments that are part of a preliminary plat, preliminary plat requests, comprehensive plan changes, comprehensive plan map changes, annexation and rezone requests and make recommendations to the council.

D. Grant special use permits and planned unit development requests, when said planned unit development requests are not part of a preliminary plat, as specified, with such additional safeguards as will uphold the intent of this chapter. Planned unit development requests as part of a preliminary plat request are reviewed by the commission in conjunction with the preliminary plat request and a recommendation to the Council is made by the commission for planned unit development/preliminary plat request.

E. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation or determination made by the Planning and Zoning Director.

F. Grant such variances from the terms of this chapter that will not conflict with the public interest, be materially detrimental to the public health, safety or welfare, or be injurious to the property or improvements of adjacent property owners.

G. Review annexation requests and make recommendations to the council.

(2) ~~H.~~ Hearing Examiner: A hearing examiner may be appointed by the City Council. Pursuant to Idaho Code section 67-6520, the hearing examiner shall have the same authority as the Planning and Zoning Commission to hear requests for special use permits, variances, subdivision plats, planned unit developments, and rezones. The hearing examiner shall be a planner, engineer, architect, or other professionally trained person and shall have significant experience in the field of planning and zoning. The hearing examiner may be dismissed by a majority vote of the City Council.

(3) ~~I.~~ Suspension of Duties: The City Council may elect at any time they deem necessary, to suspend the authority and duties of the Planning and Zoning Commission or hearing examiner, or act in full authority and exercise all of the powers required and authorized by Title 67, Idaho Code, Chapter 65 in place of the Planning and Zoning Commission or hearing examiner.

10-01-02-3: (4) ~~Duties Of The Planning And Zoning Director~~ DUTIES OF THE DIRECTOR:

(1) The Council shall appoint a ~~Planning and Zoning~~ Director who shall be responsible for enforcing and administering this chapter. The ~~Planning and Zoning~~ Director may be provided with the assistance of such other persons as the Council may direct. For the purpose of this chapter, the ~~Planning and Zoning Director~~ term “Director”, “Planning and Zoning Director” and “Community Development Director” shall all mean the Director responsible for enforcing and administering this chapter. The Director shall have the following duties:

A. Interpret and administer this chapter. The Director shall have the authority to order, in writing, the remedy of any condition found to be in violation of this chapter or of any permit approved under the provisions of this chapter. Any person aggrieved by a decision made by the Director in interpreting or enforcing this chapter may appeal such decision to City Council. Such appeal shall be heard following the public hearing requirements set forth in subsection ~~10-03-03(2)~~ 10-03-12 of this article.

B. Assist the public and advise interested persons of zoning provisions.

C. Notify the news media regarding matters of public interest.

D. Aid applicants in the preparation and expedition of required applications.

E. Grant variances, as an administrative determination, of up to twenty percent (20%) from any numerical standard of the following requirements: structure height, front yard setback, rear yard setback, interior yard side setback, street side yard setback, lot size, frontage requirement, and/or parking space, so long as the following criteria is met:

1. Density is not increased from what was originally approved during the public hearing process;
 2. The request does not decrease any requirements or conditions that were placed on the project by the governing body;
 3. No specific deliberation took place during the public hearing on the requested deviations;
 4. All other provisions of this chapter and chapter 11 are adhered to.
- 1. ~~At least fifteen (15) calendar days prior to rendering a decision to grant or deny an administrative determination, notice shall be mailed to the applicant and to property owners or purchasers of record adjoining the subject property.~~
- 2. ~~Within five (5) calendar days of the date of decision the Planning and Zoning Director shall mail notice of the decision granting or denying the application to those previously notified of the pending application.~~
- F. Assist the commission and Council in carrying out the provisions of this chapter.

10-01-03: ZONING DISTRICTS PURPOSE STATEMENTS ESTABLISHED:

(1) Zoning Districts Purpose Statements: The following zoning districts and related purpose statements are hereby established For the purpose of this chapter, the incorporated territory of the City of Caldwell, Idaho, is divided into the following base zoning districts:

<u>Residential Districts</u>		
<u>RS-1</u>	<u>Semi-Rural Residential - 1</u>	<u>See Section Chapter 10, Article 5 for Residential Zoning Districts</u>
<u>RS-2</u>	<u>Semi-Rural Residential - 2</u>	
<u>R-1</u>	<u>Neighborhood Residential</u>	
<u>R-2</u>	<u>Community Residential</u>	
<u>R-3</u>	<u>Urban Residential</u>	
<u>Commercial Districts</u>		
<u>C-1</u>	<u>Neighborhood Commercial</u>	<u>See Section Chapter 10, Article 6 for Residential Zoning Districts</u>
<u>C-2</u>	<u>Community Commercial</u>	
<u>C-3</u>	<u>General Commercial</u>	
<u>C-4</u>	<u>Service Commercial</u>	
<u>H-C</u>	<u>Mixed Use / Regional Commercial</u>	
<u>Manufacturing and Industrial Districts</u>		
<u>M-1</u>	<u>General Industrial</u>	<u>See Section Chapter 10, Article 7 for Residential Zoning Districts</u>
<u>M-2</u>	<u>Heavy Industrial</u>	
<u>I-P</u>	<u>Industrial and Business Park</u>	
<u>Urban Core Districts</u>		
<u>D-CC</u>	<u>Downtown City Center</u>	<u>See Section Chapter 10, Article 8 for Residential Zoning Districts</u>
<u>D-CB</u>	<u>Downtown Central Business</u>	

<u>T-N</u>	<u>Traditional Neighborhood</u>	
Special Purpose Districts		
<u>A-D</u>	<u>Airport District</u>	<u>See Section Chapter 10, Article 9 for Residential Zoning Districts</u>
<u>C-D</u>	<u>College District</u>	
<u>H-D</u>	<u>Healthcare District</u>	
<u>P-D</u>	<u>Public District</u>	

— **A. Residential Districts:**

— 1. **RS-1 RESIDENTIAL ESTATE:** The purpose of the residential estate zone is to provide areas by zoning procedures in accordance with the comprehensive plan that protect and enhance single-family living areas that are rural in character, at the outer edge of the city or beyond the area of city impact, or otherwise transitional in relationship to the more urbanized residential areas of higher density.

— 2. **RS-2 RESIDENTIAL SEMI-RURAL:** The purpose of the residential semi-rural zone is to provide areas by zoning procedures in accordance with the comprehensive plan that help to protect and enhance single-family living areas that are rural in character, at the outer edge or beyond the area of city impact, or otherwise transitional in relationship to the more urbanized residential areas of higher density. The RS-2 classification shall have central domestic water service or both domestic water and central sewage collection. Based upon the total net density available, these residential units may be clustered into multi-family building styles.

— 3. **R-1 LOW DENSITY RESIDENTIAL:** The purpose of the low density residential zone is to provide areas by zoning procedures in accordance with the comprehensive plan that preserves and enhances single-family residential neighborhoods at a low density standard which is consistent with the comprehensive plan. Such zones should have a full range of urban services available or projected to be established.

— 4. **R-2 MEDIUM DENSITY RESIDENTIAL:** The purpose of the medium density residential zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide medium density residential development areas at a density consistent with the comprehensive plan. Such zones are primarily located in older neighborhoods and adjacent to shopping, recreational, or cultural facilities. Such zones should be placed in areas that have a full range of urban services available or projected to be established.

— 5. **R-3 HIGH DENSITY RESIDENTIAL:** The purpose of the high density residential zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide locations for medium to high density residential development at a density consistent with the comprehensive plan. This type of zoning pattern is intended to provide transition or buffer areas between commercial uses and lower intensive uses and to provide places for higher density uses in selected places of the city's neighborhoods.

— **B. Commercial Districts:**

— 1. C-1 NEIGHBORHOOD COMMERCIAL: The purpose of the neighborhood commercial zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide local commercial service needs located at select places at the perimeter of low density residential neighborhoods and in conjunction with the policies of the comprehensive plan.

— 2. C-2 COMMUNITY COMMERCIAL: The purpose of the community commercial zone is to provide areas by zoning procedures in accordance with the comprehensive plan that establish distinct zones regulated to fulfill general shopping, retail, and professional needs in conjunction with policies of the comprehensive plan.

— 3. C-3 SERVICE COMMERCIAL: The purpose of the service commercial zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide suitable areas where activities of a service nature which are more intensive in character than in other commercial zones and, which may be semi-industrial in character, may be carried out in conjunction with the policies of the comprehensive plan.

— 4. C-4 FREEWAY COMMERCIAL: The purpose of the freeway commercial zone is to provide areas by zoning procedures in accordance with the comprehensive plan that establish zones, which are in conjunction with the policies in the comprehensive plan, in the vicinity of freeway interchanges and frontage access roads for the purpose of providing travel related services to highway users.

— 5. C-C CITY CENTER: The purpose of the city center zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide for a mix of land uses; to provide for the location of essential community services; to protect and maintain the Indian Creek corridor; to allow for sustainable structures; to protect and enhance the existing historical architecture; to balance parking and vehicular circulation with a walkable, pedestrian environment; and to create a center that is a regional magnet for residential and commercial investment.

— C. Industrial Districts:

— 1. M-1 LIGHT INDUSTRIAL: The purpose of the light industrial zone is to provide areas by zoning procedures in accordance with the comprehensive plan which encourage the grouping together of light industrial uses capable of being operated under such standards as to location, appearance of buildings, and the treatment of land about them so that they will be unobtrusive and not detrimental to surrounding commercial or residential uses.

— 2. M-2 HEAVY INDUSTRIAL: The purpose of the heavy industrial zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide areas which encourage suitable heavy industrial uses, substantially free from residential, commercial, and some light industrial uses.

— 3. I-P INDUSTRIAL PARK: The purpose of the industrial park zone is to provide areas by zoning procedures in accordance with the comprehensive plan that provide industrial park development areas containing manufacturing and related establishments within an

open and attractive setting, typically appropriate in locations near major thoroughfares, freeways and other suitable places.

— D. Institutional And Public Districts:

— 1. A-D AIRPORT DISTRICT: The purpose of the airport district is to provide areas by zoning procedures in accordance with the comprehensive plan that create an environment for developing the facilities necessary or desirable for the safe, efficient, convenient and economical operation of the Caldwell Executive Airport or any other similar airport. Uses in the airport district zone provide support for airport operations, services to airport users, and protect the public interest and investment.

— 2. C-D COLLEGE DISTRICT: The purpose of the college district zone is to provide areas by zoning procedures in accordance with the comprehensive plan that create, preserve and enhance areas containing residential, commercial, industrial, and related establishments and uses commonly found adjacent to college education facilities. Uses are to be restricted to those primarily required by educational users and providers including, but not limited to: teaching, housing, research, athletic recreation and competitions, public gathering facilities, general shopping and retail, healthcare, research activities, and complementary uses appropriate to the zone.

— 3. H-D HOSPITAL DISTRICT: The purpose of the hospital district is to provide areas by zoning procedure in accordance with the comprehensive plan that provide health, medical, and related services at the major medical institutions in the city and in the immediate area surrounding such institutions. Uses which support services to the health and medical uses are also permitted. Such support services would have similar low intensity land use characteristics to limited office and multi-family residential uses.

— 4. P-D PUBLIC DISTRICT: The purpose of the public district is to have a corresponding zone for the public and quasi-public land use categories in the comprehensive plan. The intent of this zoning category is to allow for necessary civic uses in the community, such as schools, post offices, public (federal, state, city and county) buildings, parks and recreation facilities, public open space, public utility yards and similar uses.

— E. Overlay Districts:

— 1. APO-1 AIRPORT LAND USE LIMITATION ZONE: The airport land use limitation zone is established to contribute to the safe operation of the airport, to facilitate orderly development around the airport, and to protect the possibility of future expansion of the airport.

— 2. APO-2 AIRPORT NOISE ABATEMENT ZONE: The airport noise abatement limitation zone is established to control and minimize impacts on development surrounding the airport. It is the intent of this zone to encourage land use patterns appropriate in the vicinity of the airport and enhance the public safety, welfare, and convenience.

— 3. HD-1 STEUNENBERG RESIDENTIAL HISTORIC DISTRICT: The Steunenberg residential historic district is established as an overlay zone to protect its history, architecture, ecology, and scenic attributes. This district shall encourage harmony and

compatibility in planning of new building and development in keeping with the district's historic character. (Ord. 2726, 4-7-2008)

~~F. Mixed Use Districts:~~

~~1. T-N TRADITIONAL NEIGHBORHOOD: The purpose of the T-N (traditional neighborhood) zone is to create, preserve and enhance areas containing a blend of residential, small scale commercial, entertainment, educational, office and open space uses and related establishments that are geared to serve residents within a one mile radius.~~

~~2. H-C HIGHWAY CORRIDOR: The purpose of the H-C (highway corridor) zone is to create, preserve and enhance key areas along a highway corridor which are highly visible or transitional in nature by developing, maintaining and expanding highway oriented commercial uses, limited light industrial uses, educational uses, offices and high density residential uses. (Ord. 2864, 5-16-2011)~~

(2) District Boundaries: The boundaries of the zoning districts established by this article shall be determined and defined by adoption of an amendment to the official zoning map on which the zoning district boundaries are illustrated as per section 10-01-05 of this article section.

(3) Conformity With Regulations; Land Uses: Unless otherwise provided in this chapter, land or premises shall be used in conformity with regulations herein set forth for the zoning districts in which said land or premises are located.

(4) Conformity With Regulations; Buildings And Structures: Unless otherwise provided in this chapter, no building or structure shall be erected or structurally altered or no building or structure shall be used except in conformity with the regulations herein set forth for the zoning districts in which such building or structure is located.

~~(5) Supplemental Regulations:~~

~~A. Residential Estate (RS-1) And Residential Semi-Rural (RS-2):~~

~~1. Baseline Density: The RS-1 classification minimum land area per single family dwelling is forty thousand (40,000) square feet. The RS-2 classification shall have a minimum average land area of twenty thousand (20,000) square feet per single family dwelling. Based upon total net residential building area available in the development, these residential units may be clustered into multi-family building styles.~~

~~2. Descriptions: The intended and enforceable nature of the RS classifications is illustrated by the following descriptions:~~

~~(A) Preservation Of Natural And Environmental Features: Regard for the site's natural and environmental features, preserving wherever possible, the natural topography, drainage, and rare native plant species.~~

~~(B) Open Spaces: Use of open spaces, including pastures or other agricultural fields, and wildlife corridors to create well defined edges to each neighborhood.~~

—— (C) Preservation Of Vistas: Where the land has a suitable slope from which there are long range views, building structure and arrangement should preserve various vistas for all parts of the development and for adjoining land.

—— (D) Nonmotorized Movement, Cul-De-Sacs: Incorporate a system or web of well connected vehicular through lanes and pedestrian/bicycle paths to enable and encourage nonmotorized means of movement. Cul-de-sacs may be allowed if properly designed to effect an overall environmental approach but do not necessarily of themselves foster the desired "community" atmosphere.

—— (E) People Scale Outdoor Environment: Streets that appear to be defined by buildings, trees, and lighting to create an attractive, friendly, people scale outdoor environment in areas where people live and congregate.

—— (F) Shop Areas: Shop areas where small businesses may be woven into the community and may have operator dwellings incorporated as a part of the structure.

—— (G) Formal And Informal Public Spaces: Both formal and informal public spaces providing a variety of passive and active recreational opportunities, perhaps incorporated with a school site or other public facility, are focal points.

—— (H) Network Of Rear Lanes And Alleyways: A network of rear lanes and alleyways designed to enable traditional village service functions.

—— (I) Capsule Community: Within a larger development proposal, when full urban utilities and services plus adjacent, improved, open recreation land is made available, a diversity of housing densities above and within an intended commercial area may or may not be approved as a bonus boost based upon certain design criteria in overall density. The objective is to provide apartments/condominiums within short walking distance of areas of employment, indoor and outdoor sports facilities, community facilities, and services. This is not commonly granted, but is a potential feature that depends upon design integration and convincing argument for its benefit to the city. Conversely, approval of a commercial area may not occur without this design integration irrespective of any density bonus boost.

—— (J) Landscaping: Landscaping requirements will be heightened and will require a higher degree of variety, size, and specimen type quality in order to ensure the required ecological, environmental, and tranquility of this zone.

—— 3. Primary Development Standards Of The RS Zones:

—— (A) Length of blocks (that portion of street length between cross streets) shall be not more than an approximate one thousand two hundred feet (1,200').

—— (B) Pedestrian/bicycle paths shall be interconnected within the residential area at approximate six hundred foot (600') intervals. However, substantial design flexibility will be accorded during the preliminary design stages for consideration of creative ways to provide highly convenient, safe, and attractive nonmotorized circulation throughout the proposed development.

— (C) All water bodies or watercourses shall be used as green space and pedestrian/bicycle trails for general connection to the greater Caldwell area.

— (D) In addition to the watercourse trail system, there shall be trails connecting schools or future school sites with residential areas. These should be networked to include any commercial area that contains a neighborhood grocery store.

— (E) They may propose a design structured as a minicity having sites or developed facilities for a law enforcement substation, a fire and emergency response substation, a grounds, maintenance and programs facility, plus integrated retail shops with owner or renter living quarters, and a small grocery store.

— 4. Other Regulations:

— (A) Procedure for proposals in the RS 1 and RS 2 zones shall be the chapter 11, "Subdivisions", of this code, process. All appropriate comprehensive plan provisions and the design objectives of section 10-03-07, "Planned Unit Developments", of this chapter shall be incorporated in that subdivision process.

— (B) The boundaries of the zoning districts established by this article shall be determined and defined by adoption of an amendment to the official zoning map on which the zoning district boundaries are illustrated ¹.

— (C) Unless otherwise provided in this chapter, land or premises shall be used in conformity with regulations herein set forth for the zoning districts in which said land or premises are located.

— (D) Unless otherwise provided in this chapter, no building or structure shall be erected or structurally altered or used except in conformity with the regulations herein set forth for the zoning districts in which such building or structure is located.

— (E) The planning department may prepare explanatory guidelines to assist those developing land under the provisions of the RS zone. (Ord. 2726, 4-7-2008; amd. Ord. 3410, 12-6-2022; Ord. 3555, 12-19-2023)

Notes

¹ 1. See section 10-01-05 of this article.

10-01-04: REGULATIONS FOR OVERLAY DISTRICTS ESTABLISHED:

(1) For the purpose of this chapter, the incorporated territory of the City of Caldwell, Idaho, the following overlay zoning districts have been established.

Airport Impact Overlay Districts

<u>APO-1</u>	<u>Airport Land Use Limitation Overlay Zone</u>	<u>See Chapter 10, Article 11, Section 10-11-02.</u>
<u>APO-2</u>	<u>Airport Noise Abatement Overlay Zone</u>	
Entertainment Overlay Districts		
<u>ED-1</u>	<u>Caldwell Event Center District Overlay Zone</u>	<u>See Chapter 10, Article 11, Section 10-11-03.</u>
Historic Overlay Districts		
<u>HD-1</u>	<u>Steunenberg Residential Historic Overlay Zone</u>	<u>See Chapter 10, Article 11, Section 10-11-04.</u>
<u>HD-2</u>	<u>Downtown Local Historic District Overlay Zone</u>	
<u>HD-3</u>	<u>North Caldwell Historic District Overlay Zone</u>	
Scenic Overlay Districts		
<u>SO-1</u>	<u>Indian Creek Corridor Overlay Zone</u>	<u>See Chapter 10, Article 11, Section 10-11-05.</u>
<u>SO-2</u>	<u>Key Gateway & Corridor Overlay Zone</u>	
<u>SO-3</u>	<u>Boise River Corridor Overlay Zone</u>	
Environmentally Sensitive Overlay Districts		
<u>FP-1</u>	<u>Floodplain Overlay Zone</u>	<u>See Chapter 10, Article 11, Section 10-11-06.</u>
Special Development and Urban Design Overlay Districts		
<u>UD-1</u>	<u>Downtown Urban Design Overlay Zone</u>	<u>See Chapter 10, Article 11, Section 10-11-07.</u>
<u>UD-2</u>	<u>River District Urban Design Overlay Zone</u>	
<u>UD-3</u>	<u>Neighborhood Character Urban Design Overlay Zone</u>	

—(1) F (Floodplain) Overlay Zone: The following regulations shall apply for the F (floodplain) overlay zone:

—A. Uses Permitted: All uses allowed and special uses approved in the respective parent zone with which an F overlay zone designation has been combined are permitted.

—B. Flood Damage Prevention Regulations Applicable: When uses are authorized under the procedures provided for this chapter, all of the conditions of chapter 12, article 15 of this code will also apply to the uses permitted in an F overlay zone.

—C. Prohibition Of Structures: Other than the placement or construction of public infrastructure, such as bridges or utilities, no primary, accessory and temporary structures or buildings shall be placed or constructed in any area identified as a floodway by the federal emergency management agency in its flood insurance study (FIS) for Canyon County, Idaho, and incorporated areas, dated May 24, 2011, with accompanying flood insurance rate maps (FIRM) or digital flood insurance rate maps (DFIRM), and other supporting data, adopted by reference in subsection 12-15-05(2) of this code.

—D. Nonliability Clause: The granting of approval of any structure or use in the F overlay zone shall not constitute a representation, guarantee or warranty of any kind or nature by the city or by any officer or employee thereof, of the practicality or safety of any structure or use proposed and shall create no liability upon or cause action against such public body, officer or employee for any damage that may result pursuant thereto.

~~— E. Restrictions: Restrictions regarding height, rear yards, side yards, front yard setback, minimum lot area, signs, vision clearance and parking space shall be the same as set forth in each specific zone with which the F overlay zone is combined.~~

~~(2) Airport Overlay Zone: See article 11 of this chapter.~~

~~— (3) SA (Special Area) Overlay Zone: The following regulations shall apply to the SA (special area) overlay zone.~~

~~— A. Uses Permitted: All uses allowed and any special uses approved in the respective parent zone with which the SA overlay zone is combined are generally appropriate with the stipulation that uses which are deemed to have the potential of destroying or otherwise damaging the capability to conserve or preserve such areas, must be approved by the special permit procedure. If conditions are apparent, either at present or as a potential conflict with the intent to conserve or preserve the SA overlay zone areas, the use may not be established.~~

~~— B. Other Considerations:~~

~~— 1. Evaluation of the effect of a proposed use in identified special areas will be made based not only on a single use acting alone, but upon the reasonable assumption that other landowners may need or desire to establish similar land uses or to an equivalent extent. As such, cumulative effects will be considered in making decisions.~~

~~— 2. It is not intended that by placing an SA overlay zone on an area that the local governing body can, in effect, place the area or structures within the public domain without taking reasonable action. Reasonable action shall be based upon having adopted plans and be actively developing methods to purchase, trade, purchase development rights or to find other means to accomplish the desired purposes of this section.~~

~~— C. Steunenberg Residential Historic District: The Steunenberg residential historic district is established as a special area overlay zone to protect its history, architecture, ecology and scenic attributes that are threatened by social and economic pressures that manifest through land use changes. These pressures may contribute to the demise of these attributes if left unchecked. To allay land use conflicts that may arise in this historic district due to these pressures, all land use actions occurring there, are administered through chapter 2, article 17 of this code, as well as any other applicable codes.~~

~~— 1. The purpose of the Steunenberg residential historic district designation is a means to recognize the defined area as a community asset that has historical and architectural attributes worthy of protection and preservation. This subsection codifies and promulgates the provisions contained in chapter 2, article 17 of this code, pertaining to the Caldwell historic preservation commission.~~

~~2. The legislature of the state of Idaho (pursuant to chapter 46, title 67, Idaho Code) has declared the engagement in a comprehensive program of historic preservation to be public policy and in the public interest for all levels of government in the state. Chapter 2, article 17 of this code, provides the governing structure for the creation of historic districts~~

and is applied to the Steunenberg residential historic district as of the date of its creation on August 19, 2002.

— 3. The following is the legal description for the Steunenberg residential historic district boundary: Beginning at the point of intersection of the centerline of S. 12th Ave. and E. Cleveland Blvd; thence northeasterly along said centerline of S. 12th Ave. to a point 160' northeasterly of the centerline of Blaine St; thence southeasterly along a line parallel with and 160' northeasterly of said centerline of Blaine St. to the centerline of S. 20th Ave; thence southwesterly along said centerline of S. 20th Ave. to a point 120' southwesterly of the centerline of Fillmore St; thence northwesterly along a line parallel with and 120' southwesterly of said centerline of Fillmore St. to the centerline of S. 16th Ave; thence northeasterly along said centerline of S. 16th Ave. to a point 160' southwesterly of the centerline of Everett St; thence northwesterly along a line parallel with and 160' southwesterly of said centerline of Everett St. to the centerline of said S. 12th Ave; thence northeasterly along said centerline of 12th Ave. to a point 160' northeasterly of the centerline of Dearborn St; thence southeasterly along a line parallel with and 160' northeasterly of said centerline of Dearborn St. to the centerline of S. 13th Ave; thence northeasterly along said centerline of S. 13th Ave. to the centerline of said E. Cleveland Blvd; thence northwesterly along said centerline of E. Cleveland Blvd. to the point of beginning.

(Subdivision Ordinance; Ord. 1451, 12-13-1977; Ord. 1570, 8-19-1980; Ord. 2230, 5-4-1998; Ord. 2436, 8-19-2002; Ord. 2457, 12-20-2004; Ord. 2805, 11-2-2009; Ord. 2875, 5-16-2011, eff. 5-24-2011; Ord. 2911, 9-4-2012)

...

10-01-08: SPLIT ZONING:

(1) The purpose of this section is to provide provisions for split zoning of land, lots, parcels, or tracks.

A. Split zoning will not be permissible with any new annexation and/or rezone requests, except as provided for in 10-01-08 E of this subsection.

B. The combining of land, lots, parcels, or tracks shall not result in more than one (1) primary zoning classification on a single zoning lot.

C. Land, lots, parcels, or tracts combined in violation of this ordinance shall be treated as separate zoning lots corresponding with the boundaries of the different zoning classifications.

D. Where a zoning lot contains two (2) or more existing zoning classifications, the zoning lot shall be subject to the following:

1. Most restrictive provisions shall apply. For existing and proposed uses and structures, the more restrictive provisions of the primary zoning districts, including but not limited to, use and building bulk regulations, lot area, parking and loading, and yard

requirements, shall apply to the entire zoning lot. Rezoning shall be the means used to effectuate a change to that portion of a lot/parcel zoned differently from the balance of that lot/parcel where this regulation is deemed undesirable.

Exception. Where one (1) zoning district occupies at least seventy-five percent (75%) of the total lot area, the district regulations of the district occupying the larger portion of the lot shall apply to the entire zoning lot. (Ord. 3576, 3-19-2024)

E. Split zoning shall be permissible for a subdivision plat so long as the split zone is separated by legal lot lines. If the final plat is not recorded and becomes expired and not renewed, the split zoning may revert to the more stringent single zoning designation.

10-01-09: ALIGNMENT OF ZONING WITH COMPREHENSIVE PLAN LAND USE DESIGNATIONS:

~~(1) The Future Land Use Map (FLUM) identifies the vision for a portfolio of land uses to implement the City's many diverse goals and objectives and works in conjunction with the text of the Comprehensive Plan, City Code and various policies of the City. The FLUM is not a zoning map and differs in that the FLUM describes the design character, growth strategies, health intersections, and places types of use that is are desired in the future and not necessarily the zoning that what is currently in place. The Comprehensive Plan ~~contains~~ describes various future land uses designations within the future land use place types, and contains a map geographically to identify identifying land use patterns. Various types of zoning and land use may be permitted within each of the place type designations. Future land use place type designations are not parcel specific. ~~An adjacent, abutting designation, when appropriate and approved as part of a public hearing with a land development application, may be used, so long as the abutting designation does not cross planned or existing collector or arterial roadways, and provided the proposed project is consistent with the description of the land use designation.~~~~

~~(2) If a parcel on the FLUM indicates a split land use designation more than one place type, the owner may choose a zoning designation that corresponds to either of the land use designations. Be required to subdivide the parcel at the time of development to ensure that the zoning and land use remains consistent with the intent of the FLUM. If the Director determines the parcel is of such a size that subdividing the parcel would present development challenges, the Director may waive the requirement to subdivide the parcel and determine which of the depicted place types if most appropriate to accomplish the vision of the plan.~~ (Ord. 3576, 3-19-2024)

10-01-10: DEFINITIONS:

For the purpose of this article, certain terms are defined as set forth herein and shall be applicable to all articles within Chapter 10, Zoning Regulations. All words in the present tense include the future tense. The plural includes the singular, and all words in the singular include the plural unless the nature of construction of the sentence indicates

otherwise. The word "shall", "will" or "must" is always mandatory; the word "may" is permissive; and the word "should" indicates that which is recommended but not required.

- (1) **ACCESSORY BUILDING OR STRUCTURE:** A building or structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use and meets all criteria under section ~~10-02-04-10-12-03-1~~ of this chapter. Accessory buildings or structures shall not be used for dwelling purposes or human habitation, unless constructed as an Accessory Dwelling Unit (ADU) as defined herein and in accordance with the provisions of in this chapter. For accessory dwelling units, see "Dwellings - Accessory Dwelling Unit" definition.
- (2) **ACCESSORY USE:** A use of land or of a building or portion thereof customarily additional, incidental, supportive and/or subordinate to the principal use of the land or building and located on the same lot with the principal use and meets all criteria under ~~section 10-02-04~~ Chapter 10, Article 12 for Accessory Uses.
- (3) **ACCESSWAY:** An unobstructed way of specified width containing a drive or roadway which provides vehicular access within a recreational vehicle park and connects to a public street.
- (4) **ADDITION:** ~~A structure added and attached to the original structure at some time after the completion of the original or an extension or increase in floor area or height of a building or structure. Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.~~ An addition shall meet all of the codes currently in place at the date of application for the addition.
- (5) **ADJACENT OR ABUTTING:** To physically touch or border upon, or to share a common property line or border. "Adjacent" or "abutting" shall include properties or uses that are separated by a drive, street, or other public dedicated right-of-way.
- (6) **ADMINISTRATIVE CITATION:** A written notice and applicable fine to a responsible person, issued by the citing official that a continued violation of this chapter, chapters 11, 12 and/or 13 of this code has occurred without being remedied.
- (7) **ADMINISTRATIVE DECISION:** Any decision made by the director of community development, or by his or her designee under the guidance of the director.
- (8) **ADULT BUSINESS:** Adult businesses includes ~~but is not limited to the following~~ any adult bookstore, adult novelty store, adult video store, adult motel or hotel, adult motion picture theater, adult theater, and adult cabaret as defined below:
- (9) **ADULT BUSINESS - ADULT BOOKSTORE, ADULT NOVELTY STORE OR ADULT VIDEO STORE:** A commercial establishment which has as a significant or substantial portion of its stock in trade, revenues, advertising, or maintains a substantial section of its sales or display space for the sale or rental, for any form of consideration, of any one or more of the following (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes, compact discs, slides,

or other visual representations which are characterized by their emphasis upon the exhibition or display of "specified sexual activities" or "specified anatomical areas"
(2) Instruments, devices, or paraphernalia which are designed for use or marketed primarily for gratification of sexual desires of persons for whom it is intended to be distributed to or to be seen by.

- (10) **ADULT BUSINESS - ADULT MOTEL OR HOTEL.** A hotel, motel or similar commercial establishment which offers accommodations to the public for any form of consideration; provides patrons with closed circuit television transmissions, films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the exhibition or display of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; and either (1) Offers a sleeping room for rent for a "period of time that is less than ten hours; or (2) Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten hours.
- (11) **ADULT BUSINESS - ADULT MOTION PICTURE THEATER:** A commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".
- (12) **ADULT BUSINESS - ADULT THEATER / CABARET:** A nightclub, bar, restaurant, theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear seminude; or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".
- (13) **AGRICULTURE, GENERAL:** Tilling of soil, horticulture, growing crops, raising livestock, dairying, including all uses customarily accessory and incidental thereto; but excluding commercial feedlots, raising of swine for commercial use, raising of poultry for commercial use, commercial dairies (as defined) and similar intensive Agri-related uses.
- (14) **AFFORDABLE HOUSING:** Deed-restricted housing for which the occupant(s) is/are paying no more than thirty percent (30%) of their income for gross housing costs, including utilities.
- (15) **AIRCRAFT REPAIR AND SERVICE:** The use of a site for the repair, maintenance, inspection, and service of aircraft and their associated parts, components, and related equipment required to maintain safe and reliable operation of the aircraft in compliance with regulatory standards. The use includes, but is not limited to regular maintenance, inspections, repairs, overhauls, component replacement, safety checks, detailed maintenance documentation, and systems testing.
- (16) **AIRPLANE/HELICOPTER HANGER:** A structure designed for the storage of aircraft or aircraft parts; may include the repair, and/or construction and/or manufacturing

of aircraft or aircraft parts. The structure may also include an office, bathroom, or temporary storage of airfreight as accessory uses.

- (17) AIRPORT: A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers and freight. For the purposes of this chapter, Airport regularly refers to the Caldwell Executive Airport.
- (18) AIRPORT AVIGATION EASEMENT: A perpetual easement that allows use of airspace above the property for operation of the airport or aircraft, waives claims that might be brought in connection with such operation, imposes height limits, and generally protects the long-term viability of the airport from potentially incompatible land uses.
- (19) AIRPORT COMMISSION: Airport Commission refers to the Caldwell Airport Commission.
- (20) AIRPORT DEVELOPMENT: The annexation, subdivision platting, or rezoning of real property, or new construction, special use permitting, or addition of more than two hundred (200) square feet of enclosed space to existing construction on real property.
- (21) AIRPORT MANAGER: A city employee charged with responsibility for the day-to-day operations of the Caldwell Executive Airport.
- (22) AIRPORT MASTER PLAN: The most recently adopted version of the plan, specifications, proposed projects, mapping, and other studies for the airport compiled in compliance with federal aviation administration regulations and adopted by the Caldwell city council.
- (23) AIRPORT NOISE SENSITIVE USES: Those uses of real property identified and subject to ~~section 10-11-05~~ Chapter 10, Article 11, Airport Overlay Zone, of this Chapter. Noise sensitive uses do not include accessory uses of real property where the primary use on the property is not noise sensitive.
- (24) AIRPORT RUNWAY PRIMARY SURFACE: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred feet (200') beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed by the Federal Aviation Administration regulations for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- (25) AIRPORT TERMINAL: An establishment that provides accommodation for aircraft passengers, crew and freight and may include restaurants, gift shops, retail stores, barber/beauty shops, spa services, delicatessens, espresso shops, pastry shops, ice cream shops, shoeshine stands, newspaper and magazine stands, car rental agency booths, and other shops normally associated with an aviation terminal.

- (26) ALCOHOL: Beer, wine, spirits, or other alcoholic beverages.
- (27) ALLEY: A public or private right-of-way primarily designed to serve as alternative access to the side or rear of properties. Not a street.
- (28) ALTERATION: Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another. Any change that affects the configuration of exterior walls, exterior spaces or bulk of the building. An alteration shall meet all codes currently in place at the date of application for the alteration.
- (29) AMBULANCE SERVICE: Provision of emergency medical care transportation, including incidental storage, maintenance, and parking of medical transport vehicles, as well as living/sleeping quarters for ambulance personnel.
- (30) AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI): A private nonprofit organization that administers and coordinates the U.S. voluntary standardization and conformity assessment system. The City of Caldwell relies upon this organization's standards for evaluating various landscaping applications.
- (31) AMUSEMENT CENTERS: A facility, either indoor or outdoor, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, as well as buildings for shows, entertainment, restaurants, and souvenir sales, and racetracks. Also, an area, either indoor or outdoor, open to the public, that contains amusement parks, carnivals, coin operated games, rides, shows, and similar entertainment facilities and devices.
- (32) ANNEX / ANNEXATION: The process of adding land area into an existing incorporated community with a resulting change in the incorporated boundaries of that community.
- (33) ANIMAL OWNER/RESPONSIBLE PARTY: A person eighteen (18) years of age or older or the parent or guardian of a person under 18 years of age who owns, harbors, keeps an animal, has one in his care, or permits an animal to remain on or about the premises owned or controlled by him.
- (34) ANIMAL SHELTER: A facility used to house or contain stray, homeless, abandoned or unwanted animals and that is owned, operated, or maintained by an organization dedicated to animal protection, an established humane society, animal welfare society, or other nonprofit organizations devoted to the welfare, protection, and humane treatment of animals. Animals are contained within the facility for care, confinement, return to owner, adoption, or euthanasia. This use shall be considered as equivalent to a large animal clinic for purposes of regulation.
- (35) ANIMALS: Any living creature that is not a human being.

- (36) ANTENNA: Any exterior transmitting or receiving device mounted on a tower, building, or structure and used in communications.
- (37) APPLICANT: ~~Any person, firm or corporation requesting approval who is applying for of any land use, license, certification, development, or permit, or other similar entitlement regulated by the municipal code. The applicant, as applied to the development process, is understood to be~~ Applicants include the property owner of the property subject to the request and ~~or any person designated by the owner to representing the property owner's interest with responsibility for abiding by the city's codes and development standards.~~
- (38) ARBORICULTURE: The cultivation, study, planting, pruning, watering, removal, and management of trees affecting their growth or maintenance; including the art of planting, dressing, and managing trees and shrubs.
- (39) ARBORIST: Services provided for trees, including, but not limited to planting, removal, pruning, tree inventory, appraisals, tree management and maintenance or engaging in technical arboricultural practices.
- (40) ARBORIST LICENSEE: A person with a valid contractor's license and arborist certification acquired through the International Society of Arboriculture testing program or other certification process acceptable to the City Forester.
- (41) ARBORIST SERVICE: Services provided for trees, including, but not limited to, planting, removal, topping, pruning, insect abatement or engaging in technical arboricultural practices. Any person providing arborist services in Caldwell is subject to a licensing and certification process.
- (42) ARCADE: ~~An indoor facility where various devices are utilized for entertainment including video arcades, coin operated games, and other gaming systems where the primary use is the use of the entertainment devices; ancillary food and beverages may be associated. Not an Amusement Center.~~
- (43) ARTICULATION: The means of dividing a structure's façade into distinct and significant parts through the use of windows, change in building materials, building façade insets, artwork, etc. in order to add scale to a structure and break up large expanses of unadorned walls.
- (44) ARTIST STUDIO/ GALLERY: The use of a site for the production, display and sale of individually crafted artwork including painting, sculpture, jewelry, pottery, leather craft, stitchery, and photography.
- (45) ARTS AND CRAFTS SHOWS: Events held either indoors or outdoors that showcase arts and crafts items for sale to the public.
- (46) ARTS, ENTERTAINMENT AND RECREATION FACILITIES (INDOOR): The use of a site or facility for entertainment or recreational activities. The use includes, but is not limited to, indoor motion picture and performing arts theaters, arcades, indoor miniature golf, indoor ice or skating rink, indoor rock climbing, recreational axe

throwing, or bowling. This definition does not include indoor shooting ranges and amusement centers.

- (47) **ARTS, ENTERTAINMENT AND RECREATION FACILITIES (OUTDOOR):** The use of a site or facility for entertainment, spectator sports or recreational activities. The use includes, but is not limited to, outdoor motion picture theaters, amphitheaters, sports fields, golf courses, outdoor miniature golf. This definition does not include amusement centers and zoos.
- (48) **ASPHALT PLANT:** ~~Facility that is used for the manufacture of asphalt, macadam, tar, and other related materials, sometimes collectively known as blacktop or asphalt concrete. The use includes, but is not limited to, taking in raw materials such as aggregates, sand, and asphalt cement and heating them to create asphalt.~~ This has been put into the industrial categories.
- (49) **ASSEMBLY PLANT:** ~~See definition of Factory.~~ This has been put into the industrial categories.
- (50) **ASSISTED LIVING FACILITY:** ~~See Nursing and Residential Care Facility definition.~~
- (51) **AUCTION HOUSE:** A building or place where objects of art, furniture, and other goods are offered for sale to people who bid on the object in competition with each other. Includes the use of a site for the public sale of goods, wares, merchandise, or equipment to the highest bidder, excluding the sale of livestock or motor vehicles.
- (52) **AUTOMOTIVE – BODY SHOP:** An establishment that provides passenger vehicle and motorcycle collision service, repair, and painting. May also include the use of the site for custom body and paint work not associated with collision repair. It shall be unlawful for any vehicle associated with a body shop to have vehicles parked, standing, or stored within the public right-of-way.
- (53) **AUTOMOTIVE – CAR WASH:** Any building or premises used for washing passenger vehicles which may use production line methods with a conveyor, blower, or other mechanical device and that may employ some hand labor. The facility may or may not include vacuums and drying areas as accessory uses and may or may not include car detailing.
- (54) **AUTOMOTIVE – RENTAL LOT:** A lot or parcel used for the rental of vehicles, motor homes, recreational vehicles, or motorcycles. A building containing offices may be included as part of the business. All vehicles, motor homes, recreational vehicles and/or motorcycles held on the rental lot shall be in operating condition.
- (55) **AUTOMOTIVE – REPAIR SERVICES:** A lot or parcel used for the repair of all types of vehicles, to include, but not limited to, motor homes, recreational vehicles, or motorcycles. All repair work shall be conducted within an enclosed building and no vehicle of any type shall be stored outside of an enclosed building for more than thirty (30) days. It shall be unlawful for any vehicle associated with an automotive repair service use to have vehicles parked, standing, or stored within the public right-of-way, except for employees lawfully parked in the right-of-way. All

operations associated with the automotive service use must take place on private property.

- (56) AUTOMOTIVE - STORAGE, INDOOR ONLY: The use of fully enclosed buildings in which ~~two (2)~~ four (4) or more vehicles are stored more than thirty (30) days. Vehicles may or may not be in operating condition. It shall be unlawful for any vehicle associated with an indoor automotive storage use to have vehicles parked, standing, or stored within the public right of way, except for employees lawfully parked in the right of way. This definition excludes residential garages.
- (57) AUTOMOTIVE - STORAGE, OUTDOOR: Any use of premises, excluding fully enclosed buildings, on which ~~two (2)~~ four (4) or more vehicles are standing more than thirty (30) days. Vehicles may or may not be in operating condition. It shall be unlawful for any vehicle associated with an outdoor automotive storage use to have vehicles parked, standing, or stored within the public right of way, except for employees lawfully parked in the right of way. All operations associated with the automotive storage use must take place on private property. This definition does not apply to those businesses that meet the definition of new or used automotive sales, automotive tow yard, nor for the storage of personal vehicles associated with a single-family residence, stored outside the view of the public right-of-way.
- (58) AUTOMOTIVE – TOW YARD: A business or facility that tows operable or inoperable vehicles to its site, where they may be stored for thirty (30) days or more, or to another site. Not a wrecking/salvage yard, but rather for storage only. No dismantling, wrecking, repairing, bodywork, salvaging or similar may take place; only storage of operable or inoperable vehicles after being towed. It shall be unlawful for any vehicle associated with an automotive tow yard to have vehicles parked, standing, or stored within the public right-of-way, except for employees lawfully parked in the right-of-way. All operations associated with the automotive tow yard must take place on private property.
- (59) ~~AUTOMOTIVE – WRECKING/SALVAGE YARD: Any use of premises, excluding fully enclosed buildings, on which two (2) or more vehicles not in operating condition are standing more than thirty (30) days, or on which used vehicles, or parts thereof, are dismantled or stored. It shall be unlawful for any vehicle associated with an automotive wrecking/salvage yard to have vehicles parked, standing, or stored within the public right of way, except for employees lawfully parked in the right of way. All operations associated with the automotive tow yard must take place on private property.~~ This has been put into the heavy industrial category.
- (60) BAIL BOND USE: Any use or business, whether primary or ancillary, that provides bail and/or bail bonds as defined pursuant to chapter 29, title 19, Idaho Code.
- (61) ~~BANK / CREDIT UNION: Financial institutions that provide retail banking services to individuals and businesses. This classification includes those institutions engaged in the on-site circulation of cash money and businesses offering check cashing. This definition does not include Payday Loans and Title Loan Establishments.~~ Combined under “Financial Institution” category.

- (62) ~~BANK / CREDIT UNION – DRIVE THROUGH: Provides the services listed under the definition of "bank, credit union" as being accessible to persons who remain in their passenger vehicles. Drive-through service is classified separately because it is not appropriate at all locations. This definition does not include Payday Loans and Title Loan Establishments.~~ Combined under "Financial Institution" category.
- (63) BARBECUE GRILL/RANGE: An appliance intended and approved for the commercial preparation of food using solid fuel or gas fuel, said prepared food to be sold. Solid fuels could include wood, charcoal, or similar products. Gas fuel appliances would use propane or natural gas. Required safety precautions could include hoods, ducting, exhaust fans, grease extractors, fire extinguisher(s) and/or fire extinguishing systems or any combination thereof.
- (64) ~~BARBER/BEAUTY SHOP: Establishments where services are provided for hairdressing, but which may also offer tanning beds, facials, manicures, pedicures, massages and the like.~~ Combined under "Personal Services" category.
- (65) BARK/WOOD CHIPS: A medium sized solid material made by cutting, or chipping, larger pieces of wood and/or bark. All bark/wood chips must be a minimum size of two inches (2").
- (66) BERM: An earthen mound designed to create aesthetic interest, highlight a focal point, screen undesirable views, and/or to decrease ~~serve as a barrier to~~ noise.
- (67) BERM – UNDULATING: An undulating berm is a landscaping feature that has a wavy or varied shape. The gentle slopes and undulating forms of the berms create dynamic focal points, breaking up the monotony of a flat landscape and adding depth and dimension to your landscaped space. Undulating berms are also utilized to screen unsightly views or act as natural barriers.
- (68) ~~BMX TRACK: A facility used for recreation purposes of riding bicycles on dirt and other surfaces not a part of any roadway or public right-of-way such as asphalt paths, wood, concrete, and metal grates. This use includes traditional outdoor BMX parks, indoor BMX parks, pump tracks, general bike parks, and similar type facilities. In no case shall this include the use of motorized equipment whether internal combustion or electric.~~ Combined under "Arts, Entertainment and Recreation Facilities – Outdoor" category.
- (69) BOISE RIVER CORRIDOR: Land in proximity to the Boise River as it flows through Caldwell. The corridor extends outward a distance of one hundred fifty feet (150') from the bank's high-water mark. Landscaping plans for projects within this corridor are subject to landscape plan design review.
- (70) BOULDER AND ROCK SLAB: A rock possessing an overall surface area greater than one square foot. These large rocks are not considered hardscape materials and may be used for landscape purposes.
- (71) ~~BOWLING ALLEY: An establishment generally for bowling, which may or may not include pool tables or the serving of food and beverages, open to the public with~~

admission or a fee. Some bowling alleys may or may not serve alcohol and/or liquor provided the necessary licenses are obtained. Combined under "Arts, Entertainment and Recreation Facilities – Indoor" category.

- (72) BREWERY – LARGE SCALE: A facility that manufactures up more than five thousand (5,000) barrels of fermented malt beverages per year on premises for either on or off premises retail sale or consumption, and where food may be prepared, served, and/or consumed.
- (73) BREWERY – SMALL SCALE: A facility that manufactures up to five thousand (5,000) barrels of fermented malt beverages per year on premises for either on or off premises retail sale or consumption, and where food may be prepared, served, and/or consumed. Small scale breweries are also known as microbreweries.
- (74) BUFFER: A combination of physical space and vertical elements, including, but not limited to, open spaces, landscaped areas, trees, shrubs, berms, fences, and/or walls or any combination thereof, used to that physically separate and/or screen incompatible land uses one use or property from one another or physically separate and screen properties from a public street, to visually shield or block noise, lights, or other nuisances.
- (75) BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.
- (76) BUILDING FORM: The shape and structure of a building as distinguished from its substance or material.
- (77) BUILDING HEIGHT: The vertical distance from the finished grade adjacent to the structure to the highest point of the coping on a flat roof, or to the deck line on a mansard roof, or the average height of the gable of a pitch or hip roof peak of a mansard, pitch, or hip roof. Building height does not include architectural elements, such as roof stair access enclosures/projections, cupolas, chimneys, steeples, spires, nor antennas.
- (78) BUILDING MATERIALS: Materials that are used in the construction of buildings, houses and other structures. This includes but is not limited to traditional materials such as wood, concrete, brick, stone, steel, or stucco.
- (79) BUILDING PERMIT: An official document or certificate by that name issued by the city authorizing the construction or siting of any building.
- (80) BUILDING SCALE AND MASSING: The size and bulk of a building relative to the prevalent scale in other buildings in the surrounding neighborhood, and environs, adjacent streets, and pedestrians. The scale and massing can be categorized into two (2) groups; House scale buildings which are those that match the size of a typical house, in terms of form, height, building footprint, and architectural details; and Block scale buildings which are those that are individually as large as a block, or

most of the block; or when arranged together along a street, appear as long as most or all of a block.

- (81) BUILDING WALL/FACADE; PRIMARY: Building walls or facades located parallel to or facing the street frontage in which the building is addressed.
- (82) BUILDING WALL/FACADE; SECONDARY: Building walls or facades located parallel to or facing a street frontage in which the building is not addressed.
- (83) BULK REGULATIONS AND DIMENSIONAL STANDARDS: Standards and controls that establish the maximum size of buildings and structures on a lot and the buildable area within which the building can be located, including lot size, lot coverage, setbacks, height, impervious surface ratio, floor area ratio and yard requirements.
- (84) BUSINESS PERMIT LICENSE: A license issued by planning and zoning signifying a business is an allowed land use and/or legal nonconforming land use in the zoning district in which the business is located and the use has met compliance with all building and fire codes. Previously referred to as Business Permit.
- (85) CABINET SHOP: An establishment, either wholesale or retail, that sells, repairs and/or manufactures cabinets or wood trim for any type of building or structure. Combined into the "Industry" categories.
- (86) CALIPER: The diameter of a tree measured at a point twelve (12) inches above the ground or top of root ball.
- (87) CARPORT: A roofed structure providing space for the parking of automobiles and enclosed on not more than two (2) sides (side does not include or mean the roof), either attached to or detached from the principal building. May or may not be portable.
- (88) CARRYOUT RESTAURANT: See definition of restaurant, drive-in. Combined into the "Restaurant - Limited Service" category.
- (89) CATERING SERVICE: Preparation and delivery of food and beverages for off site consumption without provision for on-site pick up or consumption. This is not a restaurant of any type. Combined into the "Personal Services" category.
- (90) CEMENT, CONCRETE, OR CLAY MANUFACTURING: Establishments engaged in the mechanical and/or chemical transformation of aggregate materials or substances into new products such as cement, concrete, or clay for the general purpose of use in construction and construction related activities and other types of manufacturing. Combined into the "Industry - Medium Industrial" category.
- (91) CEMETERY: Property used for the interment of human remains or cremated remains. The use includes burial parks or mausoleum for vault or crypt interments.
- (92) CERTIFICATE OF APPROPRIATENESS: A document which must be obtained from the Caldwell Historic Preservation Commission, or the Caldwell city council through an appeal process, before any new buildings, improvements or structures are

erected, altered, restored or moved or demolished on a historic property or a historic site or within a historic district or a property eligible for listing in the national register of historic places or a property listed in the national register of historic places.

- (93) CERTIFICATE OF ZONING COMPLIANCE: Official certificate issued by planning and zoning that confirms a property's compliance with the applicable city development regulations, codes and policies related to planning and zoning requirements. Not applicable to internal or city projects.
- (94) CERTIFICATE OF OCCUPANCY: See section 12-01-17 of this code.
- (95) CHANGE OF USE: A change from one land use to another land use, within a certain zoning district.
- (96) ~~CHEMICAL STORAGE AND MANUFACTURING: The storage and/or manufacturing of bulk chemicals, controlled substances or hazardous materials in chemical stores, chemical storage bins, warehouses, chemical manufacturing plants or similar. Combined into the "Industry - Heavy Industrial" category.~~
- (97) CHURCH OR PLACES OF RELIGIOUS WORSHIP: An establishment that by design and construction is primarily intended for conducting organized religious services, meetings, and associated activities and that is recognized as a religious corporation or society of the state of Idaho with a state tax exempt status in accord with Idaho Code section 63-602B. A church or place of religious worship may also include special purpose buildings that are architecturally designed and particularly adapted for secular activities and events. Accessory uses to a church may include a food bank, preschool/daycare, or similar uses.
- (98) CITING OFFICIAL: Any planning and zoning staff members.
- (99) CITY: The City of Caldwell.
- (100) CITY CODE: The city of Caldwell city code, as adopted by the City Council. In addition, for purposes of this chapter, city code when referenced herein includes all ordinances, policies, resolutions, standards, manuals, rules, and regulations as amended, revised, and compiled and adopted by council and shall be, and the same hereby are, adopted and incorporated by reference herein.
- (101) CITY COUNCIL/COUNCIL: The legislative body of the City of Caldwell, Idaho.
- (102) CITY FORESTER: The city forester or the city forester's designee.
- (103) ~~CLINIC, OUTPATIENT ONLY: A building used for the care, diagnosis and treatment of the sick, ailing, infirm, or injured persons, by physicians, dentists, other medical personnel, psychologists, psychiatrists, social workers or the like, and those who are in need of medical and surgical attention, but which building does not require a stay of more than twenty-four (24) hours and does not provide board, room, or regular hospital care and services. Combined into "Offices - Medical/Dental/Healthcare" category.~~

- (104) CLINIC / HOSPITAL - LARGE ANIMAL: Any building or portion thereof or business establishment designed or used for the care or administration of veterinary services for any agricultural or exotic animals. This use can also include veterinarian uses.
- (105) CLINIC / HOSPITAL - SMALL ANIMAL: Any building, or portion thereof, or business establishment designed or used for the care or administration of veterinary services for any of the following animals: dogs, cats, primates, birds, waterfowl, reptiles, rodents and similar animals, domestic pet animals on an outpatient basis. This use can also include small animal grooming businesses or veterinarian uses.
- (106) CLUB OR LODGE: A building and related facilities owned or operated by a corporation, local chapter, or association established for the fraternal, social, religious, educational, recreational, or cultural enrichment of its members and not primarily for profit and whose members pay dues and meet certain prescribed qualifications for membership.
- (107) CLUSTER DEVELOPMENT: A residential cluster development, or open space development, is the grouping of residential properties on a development site or subdivision to use the extra land as open space, recreation, agriculture, or the preservation of environmentally sensitive locations.
- (108) COLLOCATION: The use of a single tower to support more than one wireless telecommunication service provider's equipment, or the mounting of an antenna on a preexisting structure.
- (109) COMMERCIAL DAIRY: An establishment with dairy cows used to produce milk to be sold for commercial gain, rather than to be used for personal use.
- (110) COMMERCIAL KENNEL: An establishment in which more than three (3) dogs or other domesticated animals are regularly and routinely housed, groomed, bred, boarded, trained, and/or sold, all for a fee for compensation.
- (111) COMMISSION: The City of Caldwell Planning and Zoning Commission. This may also include the City of Caldwell Hearing Examiner.
- (112) COMMON LOT: A lot separate from individual buildable lots, owned in common, generally provided for the shared use of property owners or tenants and is maintained by the controller or a homeowners' or business owners' association.
- (113) COMMUNITY CENTER – PRIVATE: A building or group of rooms designed and used as an integral part of a residential project by the tenants of such a project for a place of meeting, recreation or social activity and under the management and unified control of the operators of the project. A private community center may also be a facility, operated by a not-for-profit entity, that is not part of a residential project, but is used as a place of meeting, recreation, or social activity. Such facility shall not create noise, odor or similar conditions perceptible beyond the bounding property line of the project site.

- (114) COMMUNITY CENTER – PUBLIC: A facility used for recreational, social, educational, or cultural activities by or for a not for profit or public agency. building and grounds owned and operated by a governmental body for the social, recreational, health or welfare of the surrounding community.
- (115) COMMUNITY CHARACTER: The features that define the built and natural environment within the community that help to create its character. These include historic buildings, natural stream corridors, residential neighborhoods of different types, building density and orientation (auto- or pedestrian-oriented), and the scale and quantity of signage.
- (116) COMMUNITY GARDEN: A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person. Accessory sales of products cultivated on site are permissible within ten days of harvesting subject to approval of a special use permit.
- (117) COMMUNITY (PUBLIC) WORKS OF ART: Original works of art in any artistic medium (bronze, stone, paint, etc.) for temporary or permanent placement in outdoor or indoor settings. Public art is accessible to all members of the public and it aims to enrich the community by evoking meaning in the public realm. Art can take a variety of forms, including as an aesthetic element to a functional public work, to include, but not be limited to architectural design features (embedded relief sculptures), landscape features, streetscape design features (benches, artist gardens), site specific monumental works (sculptures), community enhancement projects (artistic designed/painted sewer covers, embedded logos within the streets). Such artworks can include water elements and walkways. Permits are required for all community public works of art.
- (118) COMPANION ANIMAL: Animals that do not have specific disability related training but are necessary in coping with a disability (for instance, if the animal provides emotional support to a person with disabilities) as attested to in writing, and signed, by a currently licensed psychiatrist, psychologist, mental therapist, mental counselor or similar.
- (119) COMPREHENSIVE PLAN: ~~The city of Caldwell comprehensive plan officially adopted by the Caldwell City Council.~~ A long-range development plan of the city that serves as a guide for future growth, including a general land use map, which integrates all functions, natural systems and activities relating to the use of land, which is required by Idaho State Statute (§67-6508). The comprehensive plan is the City of Caldwell comprehensive plan officially adopted by the Caldwell City Council.
- (120) CONDOMINIUM: A property or structure containing residential, commercial, and/or industrial individual units or buildings available for sale in fee simple subject to covenants and restrictions placing control of the common areas/common lots to an elected board and platted as a condominium plat as per the specifications of "city code" as defined herein. Condominium projects shall follow the procedures outlined in Chapter 11: Subdivision Regulations for condo plats. Residential Condominium

developments shall be subject to the requirements for multi-family development found in Chapter 10, Article 14.

- (121) CONFERENCE / CONVENTION CENTER: A facility used for conventions, conferences, seminars, meetings, product displays, recreation activities, and entertainment functions along with the accessory functions including temporary displays, food and beverage preparation and service for on premises consumption.
- (122) CONIFERS: Plantings that provide year-round greenery and screening because they retain their leaves year-round. They serve as excellent wildlife shelters. Normally, they are not pruned and will need large growing areas away from buildings, sidewalks, and driveways. Spacing varies with species. Conifers/evergreens are not planted in the parkways and planting strips.
- (123) CONSERVATION DEVELOPMENT AREA: Conservation development is a flexible way to accommodate growth while avoiding impacts to the environment and community character. It is a type of cluster development that uses an objective site design process to identify the areas that are most important to protect from development. Conservation development requires the use of a dedicated and recorded conservation area to protect a minimum of forty (40) percent of the overall acreage of land. The conservation area may allow natural environment preservation or continued agricultural production, but ensures the area remains open and protected.
- (124) CONTRACTOR'S SHOP WITH STORAGE YARD: ~~Any area of land or building used by a contractor for storage, maintenance, or processing incidental to the business of building, hauling, excavation, demolition, or similar activity and including any area of land or building used for the incidental repair of machinery used for any of the above listed activities.~~ A building used by a construction, hauling, excavation, demolition, or similar type contractor to conduct his business, and including an area of land used for the storage of materials, equipment, tools, products and vehicles incidental and accessory to the primary use.
- (125) CONTROLLER: Every person or association (owner, agent, tenant, occupant, contractor, developer and/or lessee) who exercises care, custody, and control of real property, to include abutting a right-of-way upon which a public tree or shrub is located. As applied to the subdivision or development process, the controller is understood to be the property owner, association or person representing the property owner's interest with responsibility for abiding by the city's standards, rules, regulations, policies, codes and ordinances. A person or entity who is applying to the city for a license, certification, or permit.
- (126) CORRECTIONAL / DENTENTION FACILITY: A publicly or privately operated facility housing persons awaiting trial or persons serving a sentence imposed by a court of law. This includes any city, county, city and county, or regional jail, camp, court holding facility or other correctional facility, whether publicly or privately operated.

- (127) COTTAGE INDUSTRIES: Cottage industries are small-scale businesses that are incidental and subordinate to a parcel containing a dwelling occupied as a principal residence of the owner or operator of the cottage industry, where goods are produced, usually by hand, in a small-scale setting. This may include, but is not limited to small-scale food producers, artisanal furniture makers, production of handmade kitchenware, candle and soap makers, jewelry production, blankets, rugs, and home décor items. This differs from a home occupation as goods and commodities may be sold from the parcel.
- (128) CREMATORIUM: Establishment that performs cremation services.
- (129) CRITICAL ROOT ZONE: The area under a tree extending from the base of a tree in all directions to an imaginary line ten feet (10') outside of the dripline or as determined at a preliminary site inspection by the City Forester.
- (130) CROSS-ACCESS EASEMENT: A cross-access easement is an agreement that is recorded against the subject properties that allows for the free movement of vehicles and pedestrians across the property lines of adjacent lots.
- (131) DANCE HALL/NIGHT CLUB: An establishment where people regularly congregate primarily for entertainment purposes in the form of dancing or live or recorded music and where a cover charge/entry fee is typically required. The establishment may have one or more temporary or permanent area(s) set aside for the purpose of dancing by the patrons of the establishment and may also serve food as an accessory use to the establishment. Alcoholic beverages may be served provided the appropriate liquor or alcohol license has been obtained for the event.
- (132) DAYCARE / PRESCHOOL (CENTER): A place or facility providing daycare or preschool education for compensation for thirteen (13) or more children who are less than thirteen (13) years of age, regardless of relation. The provider's own children count toward the allowed number.
- (133) DAYCARE / PRESCHOOL (IN-HOME / FAMILY/GROUP): A home, place, or facility providing daycare or preschool education for compensation for twelve (12) or fewer children who are less than thirteen (13) years of age, regardless of relation. The provider's own children count toward the allowed number.
- (134) DECIDUOUS: Trees that shed their leaves annually as opposed to those that retain their leaves year-round.
- (135) ~~DELICATESSEN: An establishment that sells ready-to-eat food products such as cooked meats, cheeses, sandwiches, and prepared salads, that may or may not be consumed on the premises.~~ Combined under "Restaurants – Limited Service" category.
- (136) DENSITY BONUS: A density increase over the otherwise maximum allowable residential density under the zoning ordinance and land use element of the comprehensive plan as of the date of a complete application to the city.

- (137) DENSITY BONUS PROGRAM: A local incentive program that provides specific criteria and desired policy goals that must be met to offer developments an increase in density over the otherwise maximum allowable residential density under the zoning ordinance and land use element of the comprehensive plan.
- (138) DENSITY, GROSS: The ratio of the total number of dwelling units within a development divided by the total area (in acres), including public right-of-way, future right-of-way, common lots, and open space.
- (139) DENSITY, NET: The ratio of the total number of dwelling units within a development divided by the total area (in acres), excluding public right-of-way dedication, public streets, alleys, waterways, and common areas.
- (140) DEVELOPMENT: Any construction, or renovation or installation of a building or structure; any material change in the use or appearance of a building or structure or in the land itself; any division of land; any change in the intensity or use of land; and any project or use of land, regardless of zone, that would require a certificate of compliance, certificate of occupancy, special use permit, subdivision plat, planned unit development, or other discretionary entitlement application.
- (141) DEVELOPMENT APPROVAL: Any written authorization from a governmental entity which authorizes the commencement of a development.
- (142) DEVELOPMENT CONDITION / REQUIREMENT: A requirement or condition attached to a development approval or other governmental action approving or authorizing a particular development, which development requirement compels the payment, dedication or contribution of goods, services, land and/or money as a condition of approval.
- (143) DIRECTOR: For the purposes of this chapter, the word “Director”, “Planning and Zoning Director” and “Community Development Director” all refer to the appointed official responsible for managing, directing and overseeing the operations of city planning and zoning, and responsible for enforcing and administering this chapter. These terms are interchangeable.
- (144) DIRT BIKE TRACK: A facility used for the off-road recreation use of dirt bikes that involve varying terrain, specific safety measures, a defined layout, and accessory facilities and amenities such as a parking lot for users and spectators, restrooms, pit areas, seating, and concession stands. This use includes only those tracks utilizing motorized off-road vehicles and not self-powered bicycles. This use may include the use of ATV’s if the track can accommodate such a machine. Combined into the “Arts, Entertainment and Recreation – Outdoor” category.
- (145) DISEASED TREE: A tree or part thereof that has become blighted, defaced, or has become significantly diseased.
- (146) DISTRIBUTION CENTER: An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by

~~boat, rail, air, or motor vehicle.~~ Combined into the “Industry – Warehouse and Distribution Facility” category.

- (147) DISTILLERY – LARGE SCALE: A facility that produces up to more than ten thousand (10,000) gallons of beverage grade spirit alcohol.
- (148) DISTILLERY – SMALL SCALE: A facility that produces up to ten thousand (10,000) gallons of beverage grade spirit alcohol in relatively small quantities, usually done in single batches.
- (149) DISTRICT: A portion of the City within which certain uses of land and certain structures and buildings are permitted or prohibited and within which certain yards and other open spaces are required, and certain height limits are established for buildings, all as set forth and specified in this ordinance.
- (150) DOMESTICATED ANIMALS: Any of various animals that have been tamed and made fit for a human environment.
- (151) ~~DONATION TRAILER CONTAINERS / STORAGE PODS: A trailer donation container and/or pod type structure~~ used for the purpose of collecting donated materials and items from the public. Donation containers shall be accessory to a legally permitted primary commercial land use as specified within the land use schedules within this chapter. Storage pods or similar containers may be used for the temporary storage of items on residential, commercial, or industrial zoned property in accordance with the temporary use provisions as specified in Chapter 10, Article 12.
- (152) DORMITORY: A residence hall providing rooms for individuals or groups usually without private baths; used as group living quarters for a student body or religious order as an accessory use to a college, university, boarding school, airport, convent, monastery, or similar institutional use.
- (153) DRINKING ESTABLISHMENT - LIQUOR: The use of a site primarily for the sale or dispensing of liquor by the drink or glass, but not including restaurants ~~with a wine and beer license~~ servicing liquor, beer and/or wine where the principal business is serving food. The use includes, but is not limited to, bars, ~~brewery~~, cocktail lounges, saloons, and taverns. Live entertainment and similar forms of entertainment (stand-up comedy, trivia nights, live music, etc.) may be an accessory to the drinking establishment unless specifically prohibited by this Chapter. This use does not include breweries, wineries or wine tasting establishments. Although distilleries are included as a drinking establishment, they are defined as a separate land use for the purpose of establishing the zone in which they are permitted or specially permitted. See also definition of Event Center.
- (154) DRIP LINE: A boundary of the soil surface delineated by the branch spread of a single plant or a group of plants. Extending from the trunk out to the widest tip of the tree canopy.
- (155) ~~DRIVER’S EDUCATION SERVICES SCHOOL: An establishment engaged in comprehensive training and education to prospective drivers, covering various~~

~~aspects of driving including but not limited to traffic laws and regulations, safe driving techniques, simulated driving experiences, driving awareness, and driver's license preparation.~~ Combined in the "Schools – Commercial" category.

- (156) DRIVEWAY: A private roadway providing access to a street or highway. Driveways are not considered public streets, roads, or highways. A driveway serving multiple private lots/units (referred to as a common driveway) shall serve no more than six (6) residential units.
- (157) DRIVEWAY WIDTH: The narrowest width of driveway measured perpendicular to the driveway.
- (158) DRONE - COMMERCIAL DELIVERY HUB (LARGE): An area of land, structural surface, building, or structure with one or more designated drone staging areas for use by unmanned aircraft, including but limited to those defined under "Drone – Commercial Delivery Hub (Small), to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.
- (159) DRONE – COMMERCIAL DELIVERY HUB (SMALL): An area of land, structural surface, building, or structure with one or more designated drone staging areas for use by small, unmanned aircraft systems (sUAS) under 55 pounds total take-off weight or as defined in Section 44801 of Title 49, United States Code, as amended, whichever is lesser, to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.
- (160) DRONE – STAGING AREA: A designated area over which an unmanned aircraft completes the final phase of the approach, to a hover or a landing, and from which an unmanned aircraft initiates take-off. The drone staging area includes both the launch pads and any required safety areas and may include areas for outdoor storage of goods and materials if properly screened.
- (161) DRY LANDSCAPING: The use of a combination of various types of hardscapes, boulders, rock slabs and/or vegetation requiring very minimal or no irrigation.
- (162) DWELLING – ACCESSORY DWELLING UNIT (ADU): Secondary dwelling unit on the same lot of the principal residence as the principal single-family dwelling, that includes its own independent living facilities with provisions for sleeping, cooking, and sanitation and its own separate exterior entrance from the principal residence and/or an entrance to an internal common area accessible to the outside. The ADU may be attached or detached; if detached, the ADU shall comply with the location requirements outlined in 10-02-04 Chapter 10, Article 12.
- (163) DWELLING – CARETAKER: Living quarters for persons employed on the premises, as a separate domicile and with no separate utility meters. Such facilities may be located in the main structure or in an accessory building located on the lot with a main residential structure.

- (164) DWELLING – COTTAGE COURTS / HOUSING: Small scale (1 to 2 story) detached structures arranged around a shared open space / courtyard, with unit entrances off the shared open space or courtyard. It may include carriage houses, which are dwelling units above an enclosed garage.
- (165) DWELLING – GROUP HOME / RESIDENCE (8 OR < RESIDENTS): The use of property as a group residence in which eight (8) or fewer unrelated persons with disabilities or elderly persons reside and who are supervised at the group residence in connection with their disability or age-related infirmity. Resident staff, if employed, need not be related to each other or to any of the persons with disabilities or elderly persons residing in the group residence. No more than two (2) of such staff shall reside in the dwelling at any one time. This use may also include all voluntary communal living facilities that are not a homeless shelter or other facility defined herein. In accordance with Title 67, Chapter 65, Idaho Code (1) The department of health and welfare may require group residences, as herein defined, to be licensed and set minimum standards for providing services or operation. Such licensure may be under the residential or assisted living facility rules, or under the intermediate care facilities for people with intellectual disabilities or related conditions rules, or under rules specifically written for such group residences, (2) No special use permit, zoning variance, or other zoning clearance shall be required of a group residence, as herein defined, which is not required of a single-family dwelling in the same zone, (3) No local ordinances or local restrictions shall be applied to or required for a group residence, as herein defined, and (4) The limitations provided for in subsection (B) and (C) of this definition, shall not apply to tenancy or planned tenancy in a group home or residence by persons who are under the supervision of the state board of correction pursuant to section 20-219, Idaho Code, or who are required to register pursuant to chapter 83 or 84, title 18, Idaho Code, or whose tenancy would otherwise constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others (see definition of Transitional Homes).
- (166) DWELLING - GROUP HOME / RESIDENCE (9 OR > RESIDENTS): The use of property as a group residence in which nine (9) or more unrelated persons with disabilities or elderly persons reside and who are supervised at the group residence in connection with their disability or age-related infirmity. Resident staff, if employed, need not be related to each other or to any of the persons with disabilities or elderly persons residing in the group residence. No more than two (2) of such staff shall reside in the dwelling at any one time. This use may also include all voluntary communal living facilities that are not a homeless shelter or other facility defined herein. The department of health and welfare may require the group home, as herein defined, to be licensed and set minimum standards for providing services or operation. Such licensure may be under the residential or assisted living facility rules, or under the intermediate care facilities or related conditions rules, or under rules specifically written for such group homes. This definition, as herein defined, and use does not include or apply to tenancy or planned tenancy in a group home or residence by persons who are under the supervision of the state board of correction

pursuant to section 20-219, Idaho Code, or who are required to register pursuant to chapter 83 or 84, title 18, Idaho Code, or whose tenancy would otherwise constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others (see definition of Transitional Homes).

- (167) DWELLING – LIVE / WORK: A building or structure that has a combination of a single dwelling unit and a work component that is operated by the tenant of the dwelling unit. The area designated for the work component must be located on the ground level and occupy not less than twenty-five (25) percent, and no more than fifty (50) percent of the total gross floor area of the live/work unit.
- (168) DWELLING – MULTIFAMILY THREE-FAMILY (TRIPLEX): A building containing three (3) dwelling units within the same building and ~~totally separated from each other by a nonpenetrated wall extending from basement to roof (3 units on 1 lot or parcel – duplex)~~ where the dwelling units in the building are not separated by physical property lines.
- (169) DWELLING – MULTIFAMILY (FOURPLEX): A building containing four (4) dwelling units within the same building and where the dwelling units within the building are not separated by physical property lines.
- (170) DWELLING- MULTIFAMILY APARTMENTS (SMALL SCALE): A building containing five (5) to six (6) dwelling units within the same building and where the dwelling units within the building are not separated by physical property lines. For the purposes of this definition, apartments may or may not be owner-occupied. Apartments that are sold and under individual ownership are considered condominium apartments.
- (171) DWELLING – MULTIFAMILY APARTMENTS (LARGE SCALE): A building containing seven (7) or more dwelling units within the same building and where the dwelling units within the building are not separated by physical property lines. For the purposes of this definition, apartments may or may not be owner-occupied. Apartments that are sold and under individual ownership are considered condominium apartments.
- (172) DWELLING – SINGLE FAMILY (DETACHED): A one-family dwelling that is not attached to any other principal dwelling but may include an attached or detached Accessory Dwelling Unit (ADU) as defined within this article. This definition also includes detached tiny homes complying with the International Residential Code. See also “Dwelling - Group Home/Residence, Eight or Fewer Residents” definition
- (173) DWELLING – SINGLE FAMILY (ATTACHED TOWNHOUSE): A one-family dwelling, attached on one or both sides to another dwelling by common vertical walls without openings (each dwelling unit occupies its own lot or parcel, but with a zero-foot lot line on the attached side – also known as a townhouse). See also “Dwelling - Group Home/Residence, Eight of Fewer Residents” definition.

- (174) DWELLING – SINGLE FAMILY (MANUFACTURED HOME): A single-family dwelling unit, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of Idaho Code 39-4105 except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under 42 USC section 5401 et seq. All land zoned for single-family residential uses, except for lands falling within an area defined as a historic district, shall allow for siting of manufactured homes. This shall not be construed as abrogating a recorded restrictive covenant.
- (175) DWELLING – SINGLE FAMILY (MOBILE HOME): A factory-assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. (Idaho Code section 39-4105)
- (176) DWELLING – TRANSITIONAL HOME: Building that provides tenancy or planned tenancy by persons who are under the supervision of the state board of correction pursuant to section 20-219, Idaho Code, or who are required to register pursuant to chapter 83 or 84, title 18, Idaho Code, or whose tenancy would otherwise constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. Transitional homes are not group homes, as defined herein, regardless of the number of tenants.
- (177) DWELLING – TWO FAMILY (DUPLEX): A building containing two (2) dwelling units within the same building and totally separated from each other by a nonpenetrated wall extending from basement to roof (2 units on 1 lot or parcel — duplex) where the dwelling units in the building are not separated by physical property lines.
- (178) DWELLING UNIT: A single unit providing complete independent living facilities for one or more people, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- (179) EASEMENT: A grant of one or more property rights by the property owner to and/or for use by the public, a corporation, or other person or entity.
- (180) EAVES: The projecting lower edges of a roof overhanging the wall of a building.
- (181) EDUCATION SERVICES: ~~The use of a site for education purposes including, but not limited to, elementary and secondary schools, institutions of higher learning, professional, technical and trade schools, fine arts schools and studios.~~

- (182) ELECTRONIC SERVICE AND REPAIR: The use of a site for the repair and service of electronic equipment including, but not limited to, home computers/laptops, smartphones, photography equipment, circuit board repair, television repair, audio equipment repair, and similar pieces of electronic equipment. Broken into categories under "Equipment Repair and Service".
- (183) ELEVATED PEDESTRIAN WALKWAYS SKYWAY/SKYBRIDGE/SKYWALK: A structure that is used for pedestrian access that extends across or over public rights-of-way or alleys and will be accessory to a principally permitted or specially permitted use. This includes skyways, skybridges, skywalks, and similar uses.
- (184) EMERGENCY ACCESS: A means of vehicular access, other than primary access, to a subdivision or development for emergency services only, improved to city standards and specifications.
- (185) ENCROACHMENT: Any structure which extends into a required setback, easement line, or right-of-way.
- (186) ENGINEERING PLANS: Plans, profiles, cross sections and other required details for the construction of public improvements or other required improvements, prepared by a registered engineer, in accordance with the approved preliminary plat and in compliance with any applicable development agreements and/or conditions of approval, existing standards of design and construction approved by the council and also in compliance with "city code" as defined herein, regardless of details on an approved preliminary plat, unless stated otherwise in the preliminary plat order of decision or development agreement.
- (187) EQUIPMENT REPAIR AND SERVICE – LARGE: The use of a site for the repair and servicing of tools, trucks, tractors, construction equipment, agricultural implements, or similar industrial equipment. Incidental sales may be included in this definition.
- (188) EQUIPMENT REPAIR AND SERVICE - SMALL: An establishment for the repair and servicing of small engines and equipment such as lawnmowers, snowblowers, chain saws, and the like. This does not include any type of automotive or vehicular engine/equipment repair. See also "Equipment Repair and Service -Large", "Equipment Repair and Service – Household" and "Automotive – Repair Services".
- (189) EQUIPMENT REPAIR AND SERVICE - HOUSEHOLD: Establishments that provide for the repair and service of home appliances, such as dishwashers, refrigerators, washer and dryers, and similar pieces of equipment. Does not include maintenance and repair of vehicles, farm equipment, lawnmowers or similar equipment. See also definition of "Equipment Repair and Service -Large", "Equipment Repair and Service – Household" and "Automotive – Repair Services".
- (190) EVENT CENTER: An establishment which is rented out to the public for events such as weddings, receptions, and the like. Typically, a cover charge is not required for those attending. Food and beverages may be served, but all food preparation takes

place off site. Alcoholic beverages may be served provided the appropriate liquor or alcohol license has been obtained for the event.

- (191) EVERGREEN: Trees that retain their leaves year-round. They do shed older leaves, but the tree does not lose all its leaves at one time.
- (192) FAÇADE: A façade is the composition and placement of exterior walls of a building that face either a primary or secondary street, public right-of-way, or open space; or that contains the main entrance to a building.
- (193) ~~FACTORY: A building in which raw material and semi-finished or finished materials are converted to a different form or state or where goods are manufactured, assembled, treated, or processed.~~ Combined into the “Industry” categories.
- (194) FAMILY: A person living alone or two (2) or more persons living together related by blood or marriage or a group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in one single-family dwelling unit as a single housekeeping unit. For purposes of this chapter, "family" does not include any society, club, fraternity, sorority, association, lodge, federation, or like organizations; or any group of individuals who are in group living arrangements as a result of criminal offenses.
- (195) FARM ANIMALS: Horses, cattle, sheep, chickens, roosters, goats, pigs and other similar animals kept for profit or use.
- (196) FARMSTAND – ~~COMMERCIAL OFF-SITE~~: A structure for the display and sale of farm products or the seasonal selling or offering for sale at retail of farm products occurring in a predesignated area either outside or inside a building and does not interfere with vision triangle areas or decrease the required number of parking spaces for the primary principal use. All activities, whether the display or selling of all farm products, must be conducted outside of any right-of-way and shall comply with all the requirements of a temporary use as described in Caldwell City Code 10-02-13 the temporary use provisions of this chapter (Chapter 10, Article 12).
- (197) FARMSTAND – ~~PERSONAL ON-SITE~~: The display and sale of farm products grown on the property upon which the stand is located where the seller is an individual who has raised the farm product(s). All activities, whether the display or selling of all farm products, must be conducted outside of any right-of-way. This use is allowed as an accessory use to a permitted agricultural use.
- (198) FARMERS' MARKET: The use of a site for the seasonal sale of fresh agricultural products directly to the consumer at an open-air market designed as a community activity.
- (199) FENCE: A barrier of any material or combination of materials permitted by this chapter that is erected to enclose, screen, or separate areas.
- (200) FENCE – OPEN STYLE: A fence, including any gates, constructed with openings between the materials used in its construction.

- (201) FENCE - SIGHT OBSCURING / OBSTRUCTING: A solid fence or wall constructed of substantial, rigid material without a pattern of holes, cavities, breaks or openings. Materials must be complimentary and in harmony with the main building materials and approved by the Director.
- (202) FINANCIAL INSTITUTION: The use of a site for lending, exchanging, and handling money or currency for customers. The use includes, but is not limited to, credit unions, savings and loans, commercial banks, cash machines, and loan establishments. This does not include payday loans and title loan establishments. Financial institutions with drive-throughs shall comply with the specific use provisions of this chapter.
- (203) FIRE DEPARTMENT: The city of Caldwell Fire Department, which is also the Caldwell Rural Fire Protection District.
- (204) FITNESS FACILITY - ~~SMALL~~: ~~An establishment that provides facilities for aerobic exercises, running and jogging, exercise equipment, weightlifting equipment, game courts, swimming facilities, and saunas, showers, massage rooms, and lockers. Use may include those specific facilities such as CrossFit gyms, powerlifting gyms, parkour facilities, sports performance facilities, etc.~~ An indoor facility of two thousand (2,000) square feet or less in size where passive or active exercises and related activities are performed using minimal muscle-building equipment or apparatus for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Examples include, but are not limited to dance studios, karate, personal training and yoga studios.
- (205) FITNESS FACILITY – ~~LARGE~~: A full-service fitness center, gymnasium, or health and athletic club, which is over two thousand (2,000) square feet in size and may include any of the following: sauna, spa or hot tub facilities; weight rooms; indoor tennis, handball, or racquetball courts; aerobic classes and other indoor sports activities; locker rooms and showers.
- (206) FLEA MARKET: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.
- (207) FLEX SPACE: The use of a building or portion thereof for small scale warehousing and/or light industry with associated office and/or retail showroom space. Flexibility in use of the interior spaces and low scale, attractive exterior appearances characterize flex buildings.
- (208) FLOOR AREA, GROSS: The sum of the gross floor area of all the rooms contained within a building including the exterior walls of a building or portion thereof.
- (209) FLOOR AREA, NET: The sum of the net floor area of all the rooms contained within a building, excluding bathrooms, hallways, and closets. The net floor area of a room is determined by measuring from interior wall to interior wall.
- (210) ~~FOOD PRODUCTS, STORAGE PROCESSING~~: ~~The use of a site for large-scale production, manufacturing, processing, or storage of food products. The use~~

~~includes, but is not limited to, beverages, coffee, ice, water, snacks, fruits, vegetables, spices, and dairy products. Excluded uses are animal products, seafood, milling, refining, confectionery, or bakeries. Combined into "Industry" categories.~~

- (211) FOOD BANK/SOUP KITCHEN: Facility or organization (typically a not-for-profit organization) that collects, stores, and distributes food to individuals and families in need.
- (212) FOOD STAND: A permanent structure for the display and sale of food and/or beverages, such as coffee or hotdog stands, or similar, not providing indoor seating or walk-in service, but providing walk-up or drive-up service only, and is less than eight hundred (800) square feet in size.
- (213) FOOD TRUCK LOT / COURT: A parcel of land where two or more licensed and operable mobile food units / vendors congregate and involves the preparation and sale of food and/or beverages in a ready to consume state for consumption on or off the premises, but not within the mobile food unit.
- (214) FOR-FEE CONTRACTOR: An individual engaging in the construction or landscape business that does work on public or private rights of way; these individuals will have to be licensed and certified.
- (215) FRATERNITY/SORORITY HOUSE: A building containing sleeping rooms, bathrooms, common rooms, and a central kitchen and dining room maintained exclusively for fraternity/sorority members and their guests or visitors and affiliated with an institution of higher learning.
- (216) FROZEN FOOD LOCKER FACILITY: An establishment that provides for the secured, long-term or short-term storage of frozen foods in which space in individual lockers is rented, leased, or loaned to individuals, firms, or corporations, for the storage of food for their own use and which is artificially cooled for the purpose of preserving the food
- (217) FUNERAL HOME: A building used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation.
- (218) FUTURE LAND USE MAP (FLUM): The future land use map is a community's visual guide to future planning. The map represents what future zoning and land uses should be as the city grows and changes.
- (219) GARAGE, RESIDENTIAL: A building or structure used or intended to be used for the parking and storage of vehicles, as an accessory building or structure to a residential structure, and shall meet all standards for accessory uses, buildings and structures as set forth in this chapter.
- (220) GARAGE/YARD SALE: All general sales, open or advertised to the public, conducted from or on a residential premises (single-family, duplexes, or apartments), in any residential zone for the purpose of disposing of tangible personal property. Said

sales include situations in which more than three (3) specific items tangible to a personal property are to be sold. Personal property is property which is owned, utilized, and maintained by an individual or members of his or her residence and acquired in the normal course of living in or maintaining a residence. Merchandise, whether new or used, purchased for resale at a garage sale or obtained by consignment for sale at a garage sale is prohibited. See Chapter 6, article 15 of this Code for additional requirements regarding garage/yard sales. This definition shall not prevent residents from conducting multi-family yard sales on their property provided that all other rules and provisions are adhered to.

- (221) GAZEBO: An accessory building consisting of a detached, covered, freestanding, open air structure.
- (222) GIRDLING: Damaging or removing the bark and cambium layer around the tree trunk in a manner that usually kills the tree.
- (223) GOAL: A statement of intention expressing community values and attitudes intended to provide a guide for action by the community.
- (224) ~~GOLF COURSE: A tract of land laid out for playing the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.~~ Combined into "Arts, Entertainment and Recreation – Outdoors" category.
- (225) GOVERNMENTAL ENTITY: Any unit of local government that is empowered by Title 67, Idaho Code.
- (226) ~~GRAIN/CROP STORAGE: Any facility used to store any harvested crop to be sold for gain.~~ Combined into "Industry – Storage Silo" category.
- (227) GREENHOUSE - COMMERCIAL: A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out-of-season plants for subsequent sale.
- (228) ~~GREENHOUSE – PERSONAL: A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out of season plants for personal enjoyment and/or personal use.~~ This is under "Accessory Buildings".
- (229) HARDSCAPE MATERIAL: Stone, rock, gravel, lava rock, or other similar materials. For purposes of this chapter, boulder and rock slab are not considered hardscape materials; rather, they are considered accent and safety landscape features (see definition of Boulder and Rock Slab).
- (230) HARDSHIP: When there is a unique burden on a property because of zoning regulations resulting in significant or all loss of economic value. Hardship can result from the shape, size, layout, environmental impacts, and unique location of the parcel.

- (231) HEARING EXAMINER: An individual appointed by the council who shall, as directed by council, perform the duties of the planning and zoning commission regarding requests on special use permits, variances, subdivision plats, ~~annexations~~, planned unit developments, and rezones.
- (232) HELIPAD: Areas, either at ground level or elevated on a structure, licensed by a federal or state agency and approved for the loading, landing, and takeoff of helicopters and includes auxiliary facilities, such as parking, waiting room, fueling, and maintenance equipment.
- (233) HERBICIDE: A chemical preparation or other agent for destroying or inhibiting growth of weeds or other harmful vegetation.
- (234) HILLSIDE: Slopes exceeding ten percent (10%).
- (235) ~~HOME AND BUSINESS SERVICES: Recurrently needed services for residences and/or businesses. Services can include photocopying and small print shops, cleaning services, and the like. Combined under "Personal Services" category.~~
- (236) HOME OCCUPATION: Any activity carried out for gain by a resident and conducted in the resident's dwelling unit or other structure that meets all the requirements and standards for a home occupation as listed in this chapter. Only certain uses are permitted as a home occupation.
- (237) HOMEOWNERS ASSOCIATION: Homeowners' associations (HOAs) are the governing body of many common interest communities (CIC), such as subdivisions, who manage the common areas and interests of the community, and ensure that homeowners follow the covenants, conditions, and restrictions (CC&Rs) that govern all property in the community.
- (238) HOMESCHOOL: A dwelling unit wherein education and instruction take place for persons between the ages of five (5) and eighteen (18) years of age that meets state requirements for elementary and secondary education and does not secure any funding from any governmental agency.
- (239) ~~HOSPITAL: An institution providing primary health services and medical or surgical care to persons, over a continuous period of 24 hours or more for observation, diagnosis, and care, who are suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including as an integral part of the institution related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences. An institution or facility providing medical services, including psychiatric or surgical services for sick or injured persons primarily on an in-patient basis, but may also include ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, pharmaceuticals, and other services for patients, employees, or visitors.~~

- (240) ICE CREAM SHOP: An establishment that sells and serves ice cream, juices, smoothies, yogurt, pastries, muffins, and the like, to be consumed either on or off site. Combined under "Restaurant - Snack and Nonalcoholic Beverage Bars.
- (241) IMPACT: The consequences of a course of action; the effect of a goal, guideline, plan, or decision
- (242) IMPACT FEES: A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve a development. The term does not include a charge or fee to pay the administrative, plan review or inspection costs associated with permits required for development.
- (243) IMPACT FEES - CAPITAL IMPROVEMENT PROGRAM (CIP): A proposed timetable or schedule of significant future capital improvements to be carried out during a specific period usually with cost estimates and the anticipated means of financing each project.
- (244) IMPACT FEES - CAPITAL IMPROVEMENT PLAN: A plan adopted pursuant to this article that identifies capital improvements for which impact fees may be used as a funding source.
- (245) IMPACT FEES - CAPITAL IMPROVEMENTS: Improvements with a useful life of ten (10) years or more, by new construction or other action, which increases the service capacity of a public facility.
- (246) IMPACT FEES - EXTRAORDINARY IMPACT: An impact which is reasonably determined by the city to: result in the need for police, fire, parks, or traffic system improvements, the cost of which will significantly exceed the sum of the impact fees to be generated from the project; or result in the need for police, fire, parks, and traffic system improvements that are not identified in the capital improvements plans.
- (247) IMPACT FEES - FIRE: A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of fire improvements needed to serve development. The term does not include a charge or fee to pay the administrative, plan review or inspection costs associated with permits required for development.
- (248) IMPACT FEES - IMPACT: The consequences of a course of action; the effect of a goal, guideline, plan, or decision.
- (249) IMPACT FEES - IMPACT FEE STUDY: Collectively, the documents entitled the "Parks and Recreation Impact Fee Analysis, City of Caldwell", dated July 12, 2004, and the "City of Caldwell Impact Fee Study and Capital Improvements Plan", dated January 16, 2007, prepared by BBC Research & Consulting for the city. A document setting forth the reasonable methodologies and analyses for determining the impacts of various types of new growth and development on the public facilities and determines the cost of acquiring or constructing improvements necessary to meet

the demands for such public facilities created or necessary due to new growth and development.

- (250) IMPACT FEES – IMPACT FEE ADMINISTRATOR: The official appointed by the Mayor with the City Council approval to administer this article.
- (251) IMPACT FEES - LAND USE ASSUMPTIONS: A description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a twenty (20) year period.
- (252) IMPACT FEES - LEVEL OF SERVICE: A measure of the relationship between service capacity and service demand for public facilities.
- (253) IMPACT FEES - PAYOR: A person who pays or is required to pay an impact fee or the fee payor's successor in interest.
- (254) IMPACT FEES - PARKS AND RECREATION: A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of parks and recreation improvements needed to serve development. The term does not include a charge or fee to pay the administrative, plan review or inspection costs associated with permits required for development.
- (255) IMPACT FEES - POLICE: A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of police improvements needed to serve the development. The term does not include a charge or fee to pay the administrative, plan review or inspection costs associated with permits required for development.
- (256) IMPACT FEES - PRESENT VALUE: The total current monetary value of the past, present or future payments, contributions or dedications of goods, services, materials, construction, or money.
- (257) IMPACT FEES - PROPORTIONATE SHARE: That portion of the cost of system improvements determined pursuant to section 67-8207, Idaho Code, and section 10-03-14 of this article, which reasonably relates to the service demands for public facilities of a project.
- (258) IMPACT FEES - SERVICE AREA: The territory within the limits of the city where public services are provided.
- (259) IMPACT FEES - SUCCESSOR IN INTEREST: A person who gains legal title in real property for which an impact fee is paid, or a credit is approved pursuant to the terms of this article.
- (260) IMPACT FEES - SYSTEM IMPROVEMENT COSTS: Costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering, and other costs attributable thereto, and also including, without limitation, the type of costs described in section 50-1702(h), Idaho Code, to provide additional public facilities needed to serve new growth and development.

- (261) IMPACT FEES - SYSTEM IMPROVEMENTS: In contrast to project improvements, system improvements means capital improvements to public facilities that are designed to provide service to a service area including, without limitation, the type of improvements the city has the authority to make as described in section 50-1703, Idaho Code.
- (262) IMPACT FEES – TRAFFIC: A payment of money imposed as a condition of development approval to pay for a proportionate share of the cost of traffic improvements needed to serve the development. The term does not include a charge or fee to pay the administrative, plan review or inspection costs associated with permits required for development.
- (263) IMPERVIOUS SURFACE: A surface that hinders the ability of water to percolate through underlying soils. Examples typically include, but are not limited to, pavement (including driveways, parking lots, patios, walkways), rooftops, buildings and compacted soils.
- (264) INDIAN CREEK CORRIDOR: Land in proximity to Indian Creek as it flows from the Area of City Impact through the Caldwell city limits and within the City Center of the City of Caldwell. The corridor extends outward a distance of one hundred fifty feet (150') from the bank's high-water mark. Any portion of a piece of property that exists within the one hundred fifty feet (150') from the banks' high-water mark classifies the entire piece of property as existing completely within the Indian Creek corridor and thus having to comply with all rules relating to development within the Indian Creek corridor. Landscaping plans submitted within said corridor are subject to landscape plan design review.
- (265) INDUSTRIAL PARK: A tract of land that is planned, developed, and operated as a coordinated and integrated facility for a number of separate industrial uses, with consideration for circulation, parking, signage, utility needs, aesthetics, and compatibility. An industrial park may include some compatible commercial uses.
- (266) INDUSTRY MANUFACTURING – CRAFTSMAN/ARTISAN: An establishment, no larger than 10,000 square feet, where shared or individual tools, equipment or machinery are used to make or grow products on a small scale, including the design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as well as any incidental storage, retail or wholesale sales and distribution of such products. The manufacturing, processing and storage of materials must be contained indoors to prevent the emission of smoke, odor, dust, or noise from the property. Sales may be conducted as a retail component, wholesale, business to business, business to government, or entirely online. For the purpose of this code, craftsman/artisan industry is not considered an industrial land use.
- (267) INDUSTRY MANUFACTURING – LIGHT INDUSTRIAL: ~~The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication or processing takes place or where such~~

processes are housed entirely within a building. Light manufacturing generally includes processing and fabrication of finished products, predominantly from previously prepared materials, and includes processes which do not require extensive floor areas or land areas. The term "light manufacturing" shall include uses such as electronic equipment production, non-alcoholic beverages; paper imprinting; household appliances; leather products; jewelry; food and bakery products; and clothing apparel. Light industry involves the assembly, fabrication or processing of small products or simple manufacturing processes with limited power consumption. Light industry processes do not ordinarily create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication or processing takes place or where such processes are housed entirely within a building. Light industry generally includes processing and fabrication of finished products, predominantly from previously prepared materials, and includes processes which do not require extensive floor areas or land areas. Typical light industry uses include but are not limited to electronics assembly, clothing manufacturing, non-alcoholic beverages, household appliances, leather products, and jewelry. See also the definition of Industry – Craftsman/Artisan and Industry – Medium.

- (268) INDUSTRY MANUFACTURING-- MEDIUM INDUSTRIAL: The assembly, fabrication, or processing of materials or products predominately from extracted or raw materials. These activities may include outdoor assembly and storage of products. Outdoor manufacturing of raw materials into compost, primarily for commercial resale, is a medium manufacturing activity. These activities do not necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. Typical medium manufacturing uses include but are not limited to alcoholic beverages; glue; carpet; porcelain products for bathroom and kitchen fixtures; bleaching products; vegetable gelatin; dye stuffs; welding; furniture; and sporting goods. Medium industry involves the assembly, fabrication, or processing of materials or products that are more intensive than light industry but less heavy and polluting than heavy industry. These activities may include outdoor assembly and storage of products. Outdoor manufacturing of raw materials into compost, primarily for commercial resale, is a medium manufacturing activity. These activities do not necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. Typical medium industry uses include but are not limited to food processing, alcoholic beverage manufacturing, automotive parts production, furniture manufacturing, and sporting goods manufacturing. May also include glue, carpet, porcelain products for bathroom and kitchen fixtures; bleaching products; vegetable gelatin, dyes, welding, furniture manufacturing and sporting goods manufacturing. See also the definition of Industry – Craftsman / Artisan.
- (269) INDUSTRY – HEAVY INDUSTRIAL: The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or

health and safety hazards, or that otherwise do not constitute "light manufacturing". Heavy manufacturing generally includes processing and fabrication of large or bulky products, products made from extracted or raw materials, or products involving flammable or explosive materials and processes which require extensive floor areas or land areas for the fabrication and/or incidental storage of the products. The term "heavy manufacturing" shall include uses such as refineries and chemical manufacturing. Heavy industry involves large-scale production processes, heavy machinery, and greater than average impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards. Heavy industry typically requires extensive floor areas or land areas for the fabrication and/or incidental storage of the products. Heavy industrial land uses include, but are not limited to steel mills, oil refineries, wood processing plants, concrete batch plants, chemical manufacturing plants, power production, mining, recycling collection / transfer stations, wrecking / salvage yards, meat/poultry/fish/wild game processing and packaging, wholesale trade and distribution centers, data centers, railroad yards, and freight terminals.

- (270) INDUSTRY – ANIMAL SLAUGHTERHOUSE: A facility and enclosed yard designed primarily for the slaughter of animals or poultry.
- (271) INDUSTRY – FIREWORKS MANUFACTURING: Establishment used for the manufacturing, distribution, processing and/or storage of any firework or other device containing explosive powders or chemicals, and other combustible materials that cause an explosion when ignited.
- (272) INDUSTRY – INFORMATION / DATA CENTER: The use of a site for processing data. The use includes, but is not limited to, publishing industries such as newspapers, books, music, internet, and software; recording and broadcasting studios; data processing centers, internet providers and other information systems. A facility whose primary service is data processing and is used to house computer systems and associated components. Server farms, cryptocurrency data center, data centers, cryptocurrency mining center are all classified under this definition.
- (273) INDUSTRY –SILO STORAGE: A structure used for the storing of bulk materials. Silos are commonly used for bulk storage of grains, seed, coal, cement, carbon black, woodchips, food products and sawdust.
- (274) INDUSTRY – TRUCKING / TERMINAL YARD: An area or building where commercial vehicles are staged, and/or used to load and/or unload cargo and freight and/or where the cargo and freight may be stored, broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation. used for the parking or storage of trucks in active use. Truck terminals serve as facilities for trucking companies, providing drivers with a place to rest, temporarily store cargo, plan operations, and take care of repairs.
- (275) INDUSTRY - WAREHOUSE AND DISTRIBUTION FACILITY: An establishment engaged in the storage and movement of goods, such as manufactured products,

supplies, equipment or food, or parcels/mail. This term excludes bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customers present. This definition includes Cold Storage Plants where activity includes the freezing and/or storing of frozen food products, warehouses or facilities used by moving or relocation companies for the storage of household goods in transit, and vending machine operators. This definition does not include any type of manufacturing or processing.

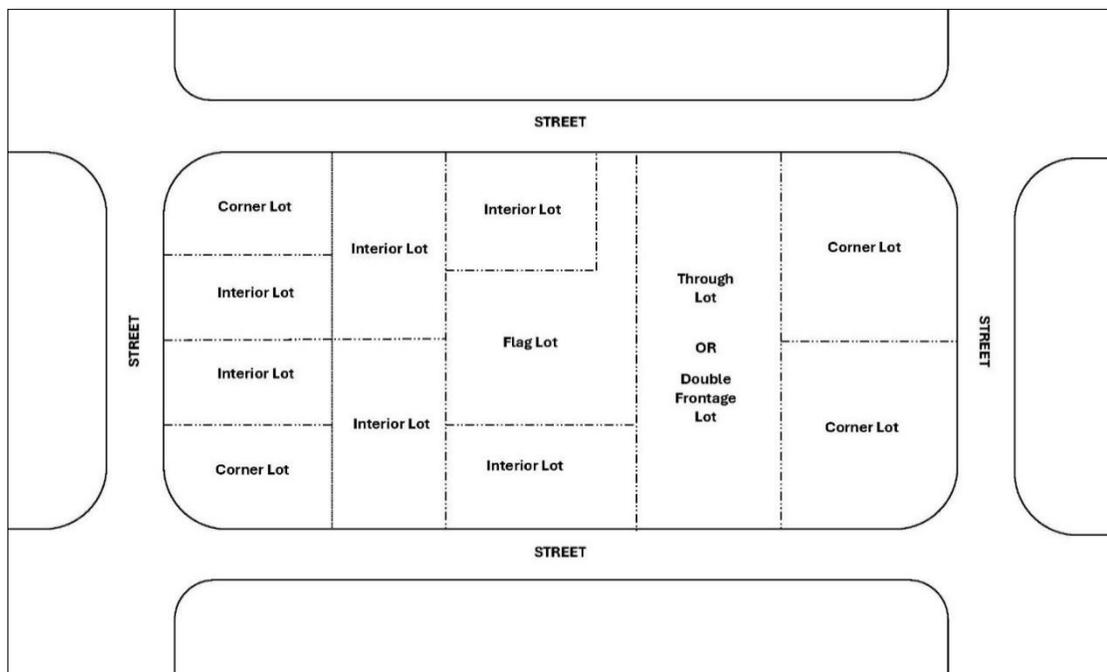
- (276) INDUSTRY - WAREHOUSE AND STORAGE (GENERAL): A building used primarily for the storage of goods and materials by the owner of the goods and operated for a specific commercial establishment or group of establishments in a particular industrial or economic field. This term does not include assembly, fabrication, processing, or distribution of goods and materials. This term also excludes bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions. See also definition of "Warehouse and Distribution Facility".
- (277) INDUSTRY - WAREHOUSE AND STORAGE (HAZARDOUS): A building used primarily for the bulk storage of goods and materials by the owner of the goods or operated for a specific commercial establishment or group of establishments in a particular industrial or economic field, where such materials are determined to be flammable, explosive and/or create hazardous or commonly recognized offensive conditions.
- (278) INFILL DEVELOPMENT: ~~Lots under twenty (20) acres within the city of Caldwell which are located in areas already largely developed (at least 50 percent of the land within 300 feet of the exterior boundaries of the subject property) and to which municipal services are already available. The development of a vacant, underutilized, or disinvested property of five (5) acres or less, located in a predominantly built up and largely developed (at least fifty percent (50%) of the land within three hundred feet (300') of the exterior boundaries of the subject property) area and to which municipal services are already available.~~
- (279) INJURIOUS PEST OR DISEASE: Organisms capable of seriously damaging the form or structural integrity of a tree.
- (280) INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA): A scientific and educational organization that has served the tree care industry for the past seventy (70) plus years. Among the services this organization provides is an arborist certification program. The City of Caldwell is reliant upon this society's certification process for establishing and certifying arborists' credentials necessary to providing fee arboriculture services in Caldwell.
- (281) IRRIGATION FACILITIES: Includes canals, laterals, ditches, conduits, gates, pumps, and allied equipment necessary for the supply, delivery, and drainage of irrigation water.

- (282) JUNK: Any old or discarded material; anything that is regarded as worthless, meaningless, or contemptible; trash; cheap, worthless, unwanted, or trashy; rubbish, litter, debris, refuse.
- (283) ~~JUNKYARD: Any lot, land, parcel, building, structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk. Combined~~ under the "Industry – Heavy Industrial" category.
- (284) LABORATORY – MEDICAL / DENTAL: Establishment providing medical or dental laboratory services; or establishment with less than two thousand (2,000) square feet providing photographic, analytical, or testing services (see definition of Research Laboratory).
- (285) LABORATORY - RESEARCH: A facility for investigation into the natural, physical, or social sciences.
- (286) LANDSCAPE PLANTER ISLANDS: Landscape planters islands encased in curbing material installed to provide visual relief from the expanse of asphalt, while protecting the landscape from vehicular injury. These planter islands occur at the interior of the parking lot and at the perimeter of the parking lot in accordance with this chapter.
- (287) LANDSCAPING BUSINESS: Any business that operates to improve the appearance of an area through a combination of the planting of trees, shrubs, grass, or vegetative ground cover or by placement of nonvegetative ground cover or rock and/or altering the contours of the land; a business that adorns or improves a section of ground by contouring and planting grass, flowers, shrubs, trees or vegetative ground cover or placing nonvegetative ground cover or rock. Said business may include the possible accessory uses of storing necessary equipment (i.e., trucks, earthmoving equipment, trailers) or supplies (i.e., seed, rock, plants, etc.).
- (288) LAND USE CHARACTER TYPE – PRIMARY (Comprehensive Plan): Primary land uses are intended to be predominant and occur frequently within the place type area.
- (289) LAND USE CHARACTER TYPE – SUPPORTING (Comprehensive Plan): Supporting land uses are not intended to be dominant within a place type area, should occur infrequently in the place type, and are evaluated on a case-by-case basis to determine appropriateness. Supporting land uses may be limited based on the location and compatibility with adjacent land uses. and are complimentary to the primary land uses.
- (290) ~~LAUNDRY, COMMERCIAL PLANT: An establishment providing washing, drying, or dry-cleaning services to commercial clientele or the public for a fee or compensation. Combined~~ under the "personal services" category.
- (291) LEGAL INTEREST: Any ownership interest of any "responsible person" as herein defined in real or personal property as evidenced by title or ownership documents or instruments recorded with the Canyon County recorder's office or on file with, or in possession of, any other governmental entity. "Legal interest" shall also include

the property interest of lessees or tenants of real property, as well as all sublessees thereof.

- (292) LIBRARY: A place in which literary, musical, artistic or reference materials are kept for use, study, and research, but are not for sale.
- (293) LIGHT TRESPASS: Light emitting from one (1) property that crosses the property line of another property in excess of 0.1 foot-candle as measured at a height of sixty (60) inches above grade in a plane at any angle of inclination.
- (294) LIVESTOCK: That class of animals that are kept and housed outside the home or in enclosures such as pens, barns, corrals, or paddock areas. Livestock includes, but is not limited to, chickens, cows, ducks, geese, goats, horses, llamas, peacocks, rabbits, roosters, sheep, swine and/or anything similar to the aforementioned. Livestock also includes any grazing or foraging animal.
- (295) LODGING - BED AND BREAKFAST INNS: A private, owner-occupied residence that offers overnight accommodation and food service to guests for compensation. No more than ten (10) guestrooms are allowed, and no cooking shall be allowed in guest rooms. Bath facilities shall be shared with no more than two (2) guestrooms and one (1) off-street parking space for each guestroom and employee shall be provided and maintained by the owner of the facility.
- (296) LODGING – BOUTIQUE HOTEL: A small stylish hotel, typically having fewer than 100 rooms and situated in a more urbanized location. A boutique hotel has a distinct character, intentional design and decor, and personalized service. Boutique hotels may have small restaurants or bars, few recreational facilities, and limited meeting space.
- (297) LODGING - HOTEL: An establishment that provides guest rooms or suites for a fee to transient guests for sleeping purposes. No provisions for cooking are provided in the guest rooms, except for microwaves and refrigerators. Access to units is primarily from interior lobbies, courts, or halls. Related accessory uses may include conference and meeting rooms, restaurants, bars, and recreational facilities.
- (298) LODGING – LONG TERM HOTEL (EXTENDED STAY): A long-term hotel facility offering transient lodging accommodation to the public, targeted to the business or leisure traveler who is planning to stay for an extended time. To constitute a long-term hotel, each hotel room must contain kitchen facilities to include a range cooktop, microwave or conventional oven, refrigerator, and sink.
- (299) LODGING - MOTEL: An establishment that provides guest rooms for a fee to transient guests for sleeping purposes. Guest rooms do not contain kitchen facilities. A motel is distinguished from a hotel primarily by direct independent access to, and adjoining parking for, each guest room.
- (300) LOT: A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon and may or may not have an obtainable building permit available.

- (301) LOT - CORNER: A lot or parcel of land abutting on two (2) or more streets at their intersection or on two (2) parts of the same street forming an interior angle of less than one hundred thirty five degrees (135°). A lot situated at the junction of and abutting on two (2) or more intersecting streets.
- (302) LOT - INTERIOR: A lot other than a corner lot with only one frontage on a street other than an alley.
- (303) LOT - THROUGH LOT: A lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as double frontage lots.
- (304) LOT - FLAG LOT: A lot having access to a public road via a narrow private driveway, said driveway having a minimum width of thirty feet (30') and a maximum length of one hundred fifty feet (150'). The minimum driveway width acts as the required frontage on a public street, regardless of the frontage requirement in the underlying zone.



- (305) **LOT AREA:** The total area within the lot lines of a lot, excluding any dedicated public street rights of way.
- (306) **LOT FRONTAGE:** That boundary of a lot along an existing or proposed public or private street or alley. The minimum driveway width for a Flag Lot acts as the required lot frontage, regardless of the frontage width minimum requirement in the underlying zoning district. Lots may have more than one frontage.

- (307) LOT LINE: A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.
- (308) LOT LINE - FRONT: The lot line separating a lot from the street right-of-way that is utilized as frontage for the property.
- (309) LOT LINE - REAR: The lot line opposite and most distant from the front lot line.
- (310) LOT LINE - INTERIOR SIDE: Any lot line other than a front or rear lot line.
- (311) LOT LINE - STREET SIDE: A lot line that directly abuts a street or other accessway that is not utilized as frontage for the property.
- (312) LOT WIDTH: The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel with the front lot line at the minimum required building setback line.
- (313) ~~MACHINE SHOP: A workshop in which work is machined to size and assembled.~~ Combined under the "Industry" categories depending on size.
- (314) ~~MAJOR PATHWAY: A pathway required in all subdivisions or developments that contain any type of residential dwellings that provides external, public pedestrian connectivity to and from and through the subdivision and/or development and is for the use of the public as well as the residents of the subdivision or development and their guests.~~ Redefined under "Pathways".
- (315) ~~MANUFACTURED HOME PARK COMMUNITY / DEVELOPMENT: A site containing five (5) or more spaces with required improvements and utilities that are leased for the long-term placement of manufactured homes or mobile homes where all leased lots remain under the ownership of one individual, corporation, or business entity. The site may include services and facilities for the residents.~~
- (316) ~~MEAT PROCESSING AND PACKAGING: Establishment for processing and packaging of meat for future sale, and/or distribution to retailers. Not including slaughtering. Also to include processing and packaging of poultry, fish, and wild game.~~ Combined into the "Industry" categories.
- (317) ~~MICROBREWERY: A facility that manufactures up to five thousand (5,000) barrels of fermented malt beverages per year on premises for either on or off premises retail sale or consumption, and where food is prepared, served, and consumed.~~ Combined into the "Brewery – Small Scale" category.
- (318) ~~MICRO PATHWAY: Any pathway within a subdivision or development meant to provide internal pedestrian connectivity and meant only for the residents of the subdivision or development and their guests (not intended for public use).~~ Combined into the "Pathway" categories.
- (319) ~~MIXED USE: The use of a site or building, which integrates a variety of two (2) or more residential, commercial, cultural, institutional, public, entertainment, or industrial land uses. Mixed use takes on a variety of forms, but often is categorized~~

as one of three types: vertical mixed-use, horizontal mixed-use, and mixed-use walkable.

- (320) MIXED USE DEVELOPMENT – SMALL SCALE: A vertical mixed-use building on a single site which blends two (2) to (3) multiple uses such as residential, commercial, cultural, institutional, public, entertainment or industrial into one building not exceeding 3-stories in height. See Specific Use Provisions 10-12-03.
- (321) MIXED USE DEVELOPMENT – LARGE SCALE: The use of a site, which blends two (2) or more multiple uses such as residential, commercial, cultural, institutional, public, entertainment or industrial land uses within a single development. The mixed use may be vertically integrated (vertical mixed-use) or horizontally integrated (horizontal mixed-use) within the same development where parking, open spaces, and other development features are shared and may have a single parcel or multiple parcels. See Specific Use Provisions 10-12-03.
- (322) MOBILE FOOD UNIT: A vehicle or a readily portable structure on wheels used solely for the purpose of the preparation and sale of food and beverages as an accessory use located on the same lot and in conjunction with an allowed use; or located on a lot independent of another use. Mobile food units shall be subject to all the provisions set forth in ~~section 10-02-13 of this chapter~~ Chapter 10, Article 12.
- (323) MODULAR BUILDING: Any building or building component, other than a manufactured home or mobile home as separately defined herein, which is constructed according to standards contained in the building code, as adopted by the city or any amendments thereto, which is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.
- (324) MODULATION: Modulation means a stepping back or projecting forward of sections of the facade of a structure within specified intervals of structure width and depth, as a means of breaking up the apparent bulk of the continuous exterior walls
- (325) ~~MONUMENT PRODUCTION: The use of a site for the production of monuments or other physical structures that are typically designed to commemorate, honor, or symbolize a person, event, place, or concept of personal, historical, cultural, or social significance, in the form of statues, memorials, plaques, tombstones, or other architectural or artistic structures.~~ Combined into “Industry – Medium Industrial” category.
- (326) MORTUARY: An establishment where the primary focus is on the preparation and presentation of the in which deceased human bodies are kept and prepared for burial or cremation, including embalming and body storage.
- (327) MOTORCYCLE: A motorized bike designed for on-road use and licensed by the state.
- (328) MULCH: A protective covering placed around plants to prevent the evaporation of moisture, the freezing of roots and the growth of weeds.

- (329) **MULTIFAMILY BUILDING:** A building containing ~~seven (7)~~ three (3) or more dwelling units, including units that are located one over the other.
- (330) **MULTIFAMILY DEVELOPMENT:** A ~~residential development single parcel~~ containing ~~three (3)~~ five (5) or more dwelling units on a single parcel, or a residential subdivision where ~~the any~~ individual lots ~~are is~~ developed with a residential structures containing that contains three (3) or more dwelling units.
- (331) **MULTIMODAL TRAVEL NETWORK:** A transportation network that uses multiple modes of transportation, such as walking, biking, public transit, and driving, to connect people to their destinations.
- (332) **MURAL:** A graphic displayed on the exterior of a building, generally for the purposes of decoration or artistic expression. A pictorial or graphical representation applied to or painted on and made an integral part of an exterior wall for the purposes of decoration or artistic expression. A mural shall be considered a wall sign, and would require a sign permit, if it contains words, logos, trademarks or graphic representations of any person, product or service(s) that identifies or advertises the building upon which it is or is to be located. Mural permits are required prior to the installation of such.
- (333) **MUSEUM:** An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.
- (334) **NATURAL FEATURES / AREA:** ~~An area that possesses unimproved natural features that include existing~~ Natural features include but are not limited to wetlands, rock outcroppings, ponds and creeks, surface drainage channels, streams, canals and other bodies of water, steep slopes, prominent ridges, bluffs or valleys, and ~~or~~ groves of trees left undeveloped in their natural state.
- (335) **NEIGHBORHOOD DEVELOPMENT CENTER:** A group of nonresidential establishments, planned, developed, and owned and/or managed as a unit and comprised of between thirty thousand (30,000) to one hundred thousand (100,000) square feet of gross leasable floor area within a single development. See also the definition of Community Centers.
- (336) **NOISE SENSITIVE:** Those uses of real property identified and subject to section Chapter 10, Article 11, Section 10-11-02 of this chapter. Noise sensitive uses do not include accessory uses of real property where the primary use on the property is not noise sensitive.
- (337) **NONCONFORMING BUILDING OR STRUCTURE:** A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.
- (338) **NONCONFORMING LOT:** A lot, the area, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails

by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district. Lots not legally established shall be deemed to be illegal lots.

- (339) NONCONFORMING USE: A use or activity that was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance.
- (340) NUISANCE: Any condition or use of the premises which is detrimental to the premises of others or which causes, or tends to cause, material diminution in the value of other premises in the neighborhood or which creates a condition tending to promote blight and deterioration, invites plundering, creates fire or traffic hazards, constitutes an unattractive nuisance, creates a harbor for rodents or insects or otherwise is injurious to the health, safety and general welfare of the inhabitants of the city. This shall include all nuisances on private property, and nuisances situated on public property adjacent to or contiguous with private property including sidewalks, parking areas, areas behind curbs, and property to the center of alleys and ditches.
- (341) NURSING AND RESIDENTIAL CARE FACILITY: A facility where individuals receive assistance in performing the routines of daily life, and where meals, personal care, and supervision of self-administered medication is provided. The use includes, but is not limited to, children's treatment facilities, nursing homes, residential care facilities, facilities for those recovering from illness or injury who do not require continued hospitalization, and drug and alcohol treatment facilities. They may also provide other services, such as recreational activities, financial services assistance, and transportation.
- (342) ~~NURSING HOME: An institution or a part of an institution that is licensed or approved to provide healthcare under medical supervision for twenty-four (24) or more consecutive hours to two (2) or more patients who are not related to the governing authority or its members by marriage, blood, or adoption. Combined under "Nursing and Residential Care Facility" category.~~
- (343) OFF STREET LOADING: Designated areas located adjacent to buildings, and separate from public streets, public rights of way and future public rights of way, where trucks may load and unload cargo.
- (344) OFF STREET PARKING: Parking for a specific use and not located on public streets, public rights of way and/or future public rights of way. This includes any required guest parking.
- (345) OFFICES (MEDICAL/DENTAL/ HEALTH CARE): A facility, other than a hospital, where medical, dental, mental health, or surgical diagnosis or other personal health care services are provided on an outpatient basis ~~treatment of patients under the care of doctors and/or nurses, or for the provision of healthcare related services. This does not include hospitals.~~

- (346) ORIENT: To bring in relation to, or adjust to, the surroundings, situation, or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position: as in 'to orient a building'.
- (347) OUTBUILDING: A separate accessory building or structure not physically connected to the principal building and shall comply with section 10-02-04-10-12-03-1 of this chapter.
- (348) OUTDOOR STORAGE: The keeping, in an unenclosed area, of any goods, junk, material, or merchandise in the same place for more than twenty-four (24) hours. Such items shall be stored within a sight obscuring fence as defined in this section. This definition does not include such uses as wrecking, salvage, or junk yards which are Industry – Heavy Industrial uses.
- (349) OVERLAY ZONEING DISTRICT: A zoning district that encompasses one or more underlying zones and that imposes additional requirements, or restrictions, or development standards above and beyond those required for the underlying zone.
- (350) PACKAGING BUSINESS: An establishment that provides mailing, packaging, and subsequent shipping services to the public. No distribution or warehousing takes place at these establishments. Combined under "Personal Services" category.
- (351) PAD SITE: A building or building site what is physically separate from the principal or primary building and reserved for free-standing commercial or industrial uses.
- (352) PARADE ROUTE: The streets upon which a city sanctioned parade, per Caldwell City Code Section 09-13-01, shall be travelling, and the area within five hundred (500) feet of the centerlines of said streets. The parade route shall be deemed to exist for the twenty-four (24) hours immediately prior to the start of a parade, during a parade, and for the twenty-four (24) hours immediately following a parade.
- (353) PARCEL: A tract or portion of land of not any precise size. Land other than a platted lot. Sometimes called section land, parcels are generally described by a metes and bounds legal description, aliquot parts or references to quadrangular survey measurements utilizing sections, townships, and ranges or government lots.
- (354) PARK: A tract of land owned or controlled and used by specific and designated entities or persons for active and/or passive recreational purposes or community gardens; can also be owned by a branch of government and available to the public for recreational purposes. New definitions created based on the type of park.
- (355) PARK - COMMUNITY: Medium to large footprint, multi-use parks that are intended to serve multiple neighborhoods and populations. Community parks are typically between 15-80 acres and provide amenities that serve a range of users and interests. These park sites may have playgrounds or a small section of sports facilities and may or may not have permanent restroom facilities.
- (356) PARK – LINEAR: Linear parks are long, narrow public park spaces that typically follow a river, canal, shoreline or manmade structure such as a highway or barrier

wall. The park spaces are often used for active transportation and serve as a connection corridor.

- (357) PARK - NATURAL INTERFACE OR PRESERVE: This special park site classification identifies spaces that serve as an interface for nature and have an emphasis on preserving and supporting the natural environment. These spaces are typically not manicured like a traditional park and allow limited recreational use.
- (358) PARK – NEIGHBORHOOD: Neighborhood parks are typically less than 15-acres in size and serves as the recreational and social focus of surrounding neighborhoods. These parks may or may not have built in amenities such as small playgrounds, a tennis court, picnic areas and covered spaces. These parks are less likely to have permanent restroom facilities. Neighborhood parks are easily accessible to pedestrians and bicyclists who live near the park site.
- (359) PARK – POCKET: A small, mostly passive, urban park that offers shaded seating and includes such amenities as water features, art or a small playground. Pocket parks range in size from twenty-five hundred (2,500) square feet to approximately one-quarter (1/4) acre. Pocket parks abut streets and are physically and visually accessible from the public sidewalks.
- (360) PARK- REGIONAL / METROPOLITAN: Large footprint, multi-use parks that serve a broader community within a region. Metropolitan parks are typically 80-500 acres in size and regional parks often exceed 500 acres. Both park types are intended to draw visitors from a wide geographic range often extending to nearby cities. These park spaces will include a wide range of amenities including playgrounds, sports fields and facilities, restrooms, large parking areas and often are situated near other amenities and destinations such as a riverfront or walkable commercial districts.
- (361) PARK – SPECIAL USE SITES: Identifies non-traditional park sites that serve a special function or are designated to celebrate a site of historical or cultural significance.
- (362) PARKING GARAGE - PRIVATE: A privately owned building or structure consisting of more than one level and used to temporarily house vehicles.
- (363) PARKING GARAGE - PUBLIC: A public or quasi-publicly owned and/or operated building or structure consisting of more than one level and used to temporarily house vehicles.
- (364) PARKING LOT – ACCESSORY, PRIVATE: A privately owned and/or operated off street, ground level open area that provides temporary housing for vehicles that serve a specific use, building, or business.
- (365) PARKING LOT - PUBLIC: A public or quasi-publicly owned and/or operated, off street, ground level open area that provides temporary housing for vehicles that does not serve a specific use, building, or business, but is open to the public.

- (366) PARKING LOT - STAND ALONE, PRIVATE: A privately owned and/or operated off street, ground level open area that provides temporary housing for vehicles that does not serve a specific use, building, or business.
- (367) PARKWAY - LANDSCAPING (Also known as the PARKING STRIP AREA): That portion of public right-of-way situated between the curb line of any street and the property line abutting and adjoining any street. In the absence of a curb, the curb line of a street shall be deemed to be the edge of that portion of public right-of-way maintained and open to the use of the public for purposes of vehicular travel. The purpose of the parkway is to increase pedestrian safety and to improve the visual aesthetics and environmental quality of roadways through landscaping.
- (368) PATHWAY – COMMUNITY: An eight (8) foot wide, ADA accessible, improved path or walkway that is specifically designed for pedestrian travel placed in subdivisions and developments to connect to existing, proposed, planned or possible future pathways of adjoining developments. These pathways shall also connect to regional pathways where applicable.
- (369) PATHWAY – NEIGHBORHOOD: A minimum five (5) foot wide, ADA accessible, improved path or walkway that is specifically designed for pedestrian travel and placed in subdivisions and developments in order to provide connectivity between common open space areas, and to community pathways.
- (370) PATHWAYS – REGIONAL: A minimum ten (10) foot wide, ADA accessible, improved path or walkway that is designed for pedestrian and bicyclists and placed to connect to existing or planned regional pathway segments, along areas requiring a public pathway per any City master plan.
- (371) PAWNSHOPS: Establishments licensed by this code and engaged in the buying or selling of new or secondhand merchandise (not including passenger vehicles), and offering loans secured by personal property.
- (372) PAYDAY LOAN AND TITLE LOAN ESTABLISHMENTS: "Payday loan establishment" means an establishment licensed to make payday loans pursuant to part 4 of chapter 46, title 28, Idaho Code. "Title loan establishment" means an establishment licensed to make title loans pursuant to part 5 of chapter 46, title 28, Idaho Code. "Payday loans" mean a payday loan as defined in Idaho Code section 28-46-401. "Title loan" means a title loan as defined in Idaho Code section 28-46-502. This definition is not exclusive to payday and title loan establishments and shall include all establishments regulated by the Idaho Department of Finance whose primary purpose is to provide short-term loans or cash advances.
- (373) PEDESTRIAN TUNNEL: An underground passageway, dug through the surrounding soil/earth/rock and enclosed except for entrance and exit, commonly at each end, and used exclusively for pedestrian or bicycle traffic.
- (374) PERENNIAL PLANTS /FLOWERS: Plants and/or flowers that will come back for years and are classified as a perennial for the Caldwell, Idaho climate zone.

- (375) PERMITTED USE: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district and by the provisions of this chapter.
- (376) PERSONAL SERVICES: A use that provides non-professional services directly to the consumer, including but not limited to hair, skin and nail care, massage therapy, tailoring, tanning salons, catering, repair of shoes and other household items, electronics repair, bicycle repair, self-service or drop-off laundry (including off-site dry cleaning), travel agencies, locksmiths, printing, copying, and photographic services, mailing and shipping services, or similar services. This use but does not include the servicing of automobiles or other activities involving the use of hazardous materials on the premises, distribution or warehousing. See also definition of Schools – Commercial.
- (377) PET: Pets generally include those animals that are typically housed indoors. Pets also include certain animals that may be housed outdoors. Those certain animals, in limited numbers only, are cats; chickens; dogs; ducks; geese; goats; miniature horses; pigeons, doves or similar; potbellied pigs; rabbits or similar; reptiles (nonprohibited only); rodents (nonprohibited only); sheep; or such equivalent small animals or poultry as determined by the planning director or his/her authorized designee. Animals deemed to be pets shall comply with the performance standards as set forth in this section and only qualify as pets in the maximum number allowed in this section.
- (378) PET GROOMING FACILITY: ~~A business establishment, other than a commercial kennel or animal hospital, which provides basic grooming for domestic animals, but does not allow the boarding of animals. For the purpose of this title, a veterinary clinic that provides basic grooming is not a pet grooming facility.~~ Combined under “personal services” category.
- (379) PHASED DEVELOPMENT: The developing or subdividing of a lot, tract, or parcel of land in phases or the controller's development, redevelopment, subdivision or resubdivision of contiguous parcels.
- (380) PHOTOGRAPHIC STUDIO: ~~An establishment for taking or developing photographs on-site for a fee or compensation.~~ Combined under “personal services” category.
- (381) PLACE TYPES: Place types, as utilized within the form of future development, as envisioned for the City of Caldwell. These Place Types are generally organized into the categories of the neighborhoods where we live (Neighborhood 1, Neighborhood 2, Neighborhood 3 and Urban Neighborhood), the employment areas where we work (Employment Center and Mixed Use Center), centers where we shop, dine, and play (Community Center, Downtown Core, and Area Hubs), and areas where public services, transportation and utilities are found (Special Purpose). These Place Types will in turn provide the policy-level guidance that will inform the City's Ordinances. Using the intent and direction of the Place Types in the Comprehensive Plan and the Future Place Types Mapping, the City's Ordinances will identify zoning districts and other ordinances that will further define how the Place Types are realized in actual development. Each Place Type will correspond with multiple zoning districts that

will provide a high-level of detail and regulatory guidance on items such as height, lot size, setbacks, adjacencies, and allowed uses.

- (382) PLANNED UNIT DEVELOPMENT: A comprehensive development that demonstrates innovation and creativity in site design to protect natural features, preserve open space, and create public amenities and includes a mix of uses, with no more than 70% of the development devoted to a single type of land use. ~~For example, a residential planned unit development could have 70% residential uses but must have 30% of the land uses dedicated to non-residential (commercial and/or industrial) type land uses.~~
- (383) PLANT: Any tree, shrub, lawn, or other vegetative ground cover that is not poisonous, toxic or otherwise a nuisance.
- (384) PLAYHOUSE: An accessory use to a residential dwelling. A playhouse is not a dwelling unit and shall conform with all accessory use standards as outlined in section ~~10-02-04~~ 10-12-03-1 of this chapter.
- (385) PRESENTATION STREETS: Areas that may be considered for future historical designation including Blaine Street and Cleveland Boulevard between 12th Avenue and 21st Avenue, and 21st Avenue from Cleveland Boulevard to Franklin Road (the lasso).
- (386) PRIMARY ABUTTING OR ACCESS STREET: The street abutting a development that carries the most traffic volume and/or classified as an arterial or collector roadway. If a development abuts two streets that have traffic volumes within twenty percent (20%) of each other, the applicant shall designate which street is the "primary abutting or access street."
- (387) PRINCIPAL USE: The primary or predominant use of any lot or parcel.
- (388) PRINCIPAL STRUCTURE: The main structure or building on a lot or parcel in which the primary/principal use occurs.
- (389) ~~PRINTING AND BLUEPRINTING: An establishment used for the printing of paper and related products and those technical and architectural drawings related to blueprinting. The use includes the operation of specific equipment designed to accommodate commercial level printing operations and expertise. Combined under "personal services" category.~~
- (390) ~~PROCESSING, GENERAL: A series of operations, usually in a continuous and regular action or succession of actions, taking place or carried on in a definite manner.~~
- (391) PROFESSIONAL SERVICES: Offices maintained and used as a place of business for professionals including, but not limited to, engineers, attorneys, architects, certified or licensed public accountants, landscape architects and other design services, management services, occupational therapists, geologists, surveyors, real estate agents, realtors, financial planners or advisors, appraisers, social workers, and other persons providing services that commonly require specialized training or

professional certification. Professional offices do not include offices maintained and used as a place of business for medical, dental or health care related professions, which are addressed under the definition for "Office - medical/dental/health care".

- (392) PROJECT: A particular development on an identified parcel of land.
- (393) PROJECT IMPROVEMENTS: Site improvements and facilities that are planned and designed to provide a service for a project and that are necessary for the use and convenience of the occupants or users of the project.
- (394) PROJECTION: Architectural details such as cornices, balconies, eaves, chimneys, pop out windows, and similar, which do not include footings and project from the main building wall facade.
- (395) PROPERTY OWNER: An individual, person or persons, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development or subdivision of land. The owner may assign, in writing, application submittal and subdivision development authority to an applicant who is not the owner. To the extent an owner is applying for subdivision of property in its own name, such owner shall be the "applicant" for purposes of this chapter.
- (396) PUBLIC ADMINISTRATIVE OFFICE: Any building housing public or quasi-public land uses and used primarily for administrative office type uses. Accessory uses are permitted when associated with a permitted public administrative office.
- (397) PUBLIC FACILITY/BUILDING: Any building, other than as defined under "public administrative office", used exclusively for public purposes by any public or quasi-public agency or department. This includes all branches of government (federal, state, municipal, and county services), publicly operated community centers or convention centers; courts; fire stations; law enforcement; library; park and ride lots; parks and recreation facilities, post offices; transit stations and similar uses. This definition does not include public schools or education facilities.
- (398) PUBLIC PROPERTY: Any property owned by, dedicated to, or deeded to the public or for the public's use. City parks, public right-of-way, cemeteries, libraries, and other public owned, controlled, leased, or managed properties are included in this definition. This definition excludes any federal, state or county owned properties except where otherwise provided by contract or law.
- (399) PUBLIC RIGHT-OF-WAY: Improved or unimproved public property owned by, dedicated to, or deeded to, the public or for the public's use, for the purpose of providing vehicular, pedestrian, and other public use. Right-of-way is utilized for placement of streets, alleys, sidewalks, trees, parkways, lawn, public utilities, cut and fill slopes, and open space. Right-of-way is acquired in keeping with the roadway's functionality as listed on the Canyon County functionally classified roadway map or any functional class/street highway master plans adopted by the city of Caldwell.

- (400) PUBLIC UTILITY YARD: Buildings, structures, or facilities, including generating and switching stations, poles, lines, pipes, pumping stations, repeaters, antennas, transmitters and receivers, valves, and all buildings and structures relating to the furnishing of utility services, such as electric, gas, telephone, water, sewer, and public transit, to the public.
- (401) RAILROAD YARD/SHOPS: ~~The use of a site with comprehensive facilities dedicated to the organization, storage, sorting, and maintenance of locomotives, railcars, and associated equipment used in the operation of a railroad network including, but not limited to, machine shops, paint shops, wheel and axle shops, locomotive shops, and railcar and locomotive storage yards. Combined under "Industry - Heavy Industrial" category.~~
- (402) RECREATIONAL FACILITY: ~~A place designed and equipped for the conduct of sports and leisure time activities, generally operated as a business and open to the public for a fee. Public recreational facilities are usually owned and operated by a governmental agency, but not necessarily so. May be operated by a private organization and open only to bona fide members and guests. May be provided as an accessory use on the same lot as the principal permitted use and designed to be used primarily by the occupants of the principal use and their guests. See also definition of "Arts, Entertainment and Recreation Facilities". Combined under "Arts, Entertainment and Recreation" category or "Public Facilities".~~
- (403) RECREATIONAL VEHICLE (RV): Those vehicles with a vehicular type of portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes. This definition shall also include motorized boats, jet skis, and similar watercraft.
- (404) RECREATIONAL VEHICLE (RV) PARK: Any lot or parcel of land upon which two (2) or more sites are located, designed, established, or maintained for the purpose of supplying a location or accommodation for recreational vehicles and its occupants to park for a stay for living purposes, for up to no longer than six (6) months. The term includes all buildings and open space used or intended for use as part of the RV Park. No manufactured homes or dwelling units of conventional construction shall be permitted on a lot or space for living purposes. Recreational Vehicle (RV) Parks are considered transient in nature.
- (405) RECREATIONAL VEHICLE PARK UNIT: A section of ground in a recreational vehicle park of not less than one thousand two hundred fifty (1,250) square feet, having a width of not less than twenty-five feet (25') and a depth of not less than fifty feet (50') of unoccupied space in an area designated as the location for one automobile and recreational vehicle or one motorized recreational vehicle.
- (406) RECYCLING OPERATION: ~~A lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment for eventual reuse~~

in new products, including, but not limited to, paper products, glass, metals, plastics, and e-waste. Combined into "Industry – Heavy Industrial" category.

- (407) ~~REFRIGERATED STORAGE: An establishment that provides for the secured, long term or short-term storage of items requiring constant refrigeration. Combined into "Industry – Warehouse and Distribution Facility" category.~~
- (408) ~~RENDERING PLANT: A factory or plant that renders and processes livestock carcasses into tallow, hides, fertilizer, etc. Combined into "Industry – Heavy Industrial" category.~~
- (409) RESEARCH & DEVELOPMENT FACILITY: A facility engaged in research and development of engineering and product development and manufacturing in technologically intensive fields including, but not limited to, medical and biomedical fields, information systems, computer software, and telecommunications. Supportive administrative and corporate functions may be accessory uses to this use.
- (410) RESIDE/RESIDENCE: Living or dwelling in a certain place permanently or for a considerable length of time; a fixed and permanent dwelling-place.
- (411) RESIDENTIAL UNITS: Any structure or improvement upon real property used or suitable for the habitation of people.
- (412) RESPONSIBLE PERSON: Any person whom the citing official determines is responsible for causing, maintaining, permitting, or allowing a violation of this chapter, chapters 11, 12, and/or 13 of this code. The term "responsible person" includes but is not limited to: any person who has an ownership or possessory interest in real or personal property; any agent thereof with actual or apparent authority, possession or control of real or personal property; or any other person who creates, maintains, permits or allows a violation of this code.
- (413) ~~RESTAURANT: An establishment where food and/or drinks are prepared, served, and consumed, for compensation, mostly within the principal building. Restaurants include but are not limited to: limited-service restaurants, full-service restaurants, cafes, espresso shops, pastry shops, ice cream shops, delicatessens, and similar. Combined into the appropriate "Restaurant" categories below.~~
- (414) ~~RESTAURANT, DRIVE-IN/DRIVE-UP, OR DRIVE-THROUGH: A restaurant or carry-out restaurant dispensing prepared food and/or beverages for consumption at the time of sale – where the customers are either served in, or have product delivered to their vehicle, or at a drive-through window. Combined into the appropriate "Restaurant" categories below.~~
- (415) RESTAURANT – FULL SERVICE: Establishments primarily engaged in providing food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. Food services may include the ordering and serving of alcoholic beverages. These establishments may have indoor and outdoor seating to provide this type of food service to patrons in combination

providing carryout services or presenting live non-theatrical entertainment. Full-service restaurants are permitted to provide walk-up windows within the downtown districts.

- (416) RESTAURANT – LIMITED SERVICE: Establishments primarily engaged in providing food services (except snack and nonalcoholic beverage bars) where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to the customer's location. Some establishments in this industry may provide these food services in combination with selling alcoholic beverages. Limited-service restaurants may include walk-up, drive-in, drive-up, and/or drive-through services; indoor and/or outdoor seating. Buffets and food halls/cafeterias are included in this definition.
- (417) RESTAURANT – SNACK AND NONALCOHOLIC BEVERAGE BARS: Establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, frozen yogurt, bagels, doughnuts, pretzels, cookies, or popcorn, or (2) serving nonalcoholic beverages, such as coffee, juices, teas, or sodas for consumption on or near the premises. These establishments may carry and sell a combination of snacks, nonalcoholic beverages, and other related products (e.g. coffee beans, mugs, coffee makers) but generally promote and sell a unique snack or nonalcoholic beverage. Snack and nonalcoholic beverage bars may include walk-up, drive-up, drive-in, and drive-through services
- (418) RESTORATION: The replication or reconstruction of a building's original architectural features.
- (419) RETAIL SALES – BOUTIQUE: Establishments less than or equal to 5,000 square feet.
- (420) RETAIL SALES – LIMITED: Establishments greater than 5,000 square feet and up to 10,000 square feet.
- (421) RETAIL SALES – SEMI – LIMITED: Establishments greater than 10,000 square feet and up to 30,000 square feet.
- (422) RETAIL SALES – GENERAL: Establishments greater than ~~10,000~~ 30,000 square feet and up to 80,000 square feet.
- (423) RETAIL SALES – BIG BOX: Establishments ~~in freestanding industrial-style buildings~~ with floor areas of approximately eighty thousand (80,000) to two hundred thousand (200,000) square feet.
- (424) RETAIL SALES – AUTOMOTIVE (NEW): A lot or parcel used by an authorized dealership that is primarily in the business of selling new passenger vehicles or motorcycles. A building housing a sales office, showroom, and repair/service area may be included as part of the dealership. The dealership may also sell used passenger vehicles or motorcycles and provide rental and/or leasing services.

- (425) RETAIL SALES - AUTOMOTIVE (USED): A lot or parcel used for the sale of used passenger vehicles or motorcycles. All passenger vehicles or motorcycles for sale shall be easily accessible and shall be in operating condition.
- (426) ~~RETAIL SALES – CONVENIENCE STORE: A retail establishment of up to five thousand (5,000) square feet selling primarily food products, household items, newspapers, magazines, candy, beverages, and a limited amount of freshly prepared foods, such as sandwiches and salads, for off-premises consumption. This use does not include the sale or dispensing of gasoline or diesel. Combined in with Retail categories based on size.~~
- (427) ~~RETAIL SALES - CONVENIENCE STORE, WITH GASOLINE: A retail establishment of up to five thousand (5,000) square feet selling primarily food products, household items, newspapers, magazines, candy, beverages, a limited number of freshly prepared foods such as sandwiches and salads for off-premises consumption, and that includes the sale and dispensing of gasoline or diesel.~~
- (428) RETAIL SALES – FIREWORKS: The use of a building or site for the retail sale of any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, including items classified as common or special fireworks by the United States bureau of explosives or contained in the regulations of the USDOT and designated as United Nations (UN) 0335 1.3G or UN 0336 1.4G.
- (429) RETAIL SALES – FIREWORKS STAND: A temporary stand or tent from which common non-aerial fireworks are sold and/or offered for sale. Temporary fireworks stand require a fireworks permit to be obtained from the City Clerk’s office.
- (430) ~~RETAIL SALES – FURNITURE SHOP: A retail establishment engaged in selling new or used furniture. The production, manufacturing, or repair of furniture does not take place in a furniture shop. For the purposes of this chapter, furniture shops are not classified as “Secondhand/Thrift Stores”. Combined under “Retail” based on square footage.~~
- (431) ~~RETAIL SALES – GROCERY STORE: A retail establishment, over five thousand (5,000) square feet in size, primarily selling fresh, frozen, canned, and packaged foods and produce. Combined under “Retail” based on square footage.~~
- (432) ~~RETAIL SALES – HARDWARE STORES: Establishments for retail sales of minor home and commercial building supplies. This does not include building supply outlets. Combined under “Retail” based on square footage.~~
- (433) RETAIL SALES - LIQUOR STORE: An establishment for either retail or wholesale sales of packaged liquor and alcohol and no consumption takes place on site; operated and regulated by the State of Idaho, per Title 23 of Idaho State Statute.

- (434) RETAIL SALES - LARGE EQUIPMENT SALES AND RENTAL AND SERVICE: The use of a site for the sale and/or rental, ~~storage and servicing~~ of tools, trucks, tractors, construction equipment, heavy equipment, agricultural implements, or similar industrial equipment. This definition does include some minor ancillary storage and serving of equipment, but storage and servicing shall not account for more than 20% of the primary use. See also definition of "Equipment Repair and Services – Large".
- (435) RETAIL SALES - LIQUOR STORE: An establishment for either retail or wholesale sales of packaged liquor and alcohol and no consumption takes place on site; operated and regulated by the State of Idaho, per Title 23 of Idaho State Statute.
- (436) ~~RETAIL SALES – LUMBERYARD: An area and/or structures or buildings used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products. Combined under "Retail" based on square footage and added some special use provisions.~~
- (437) ~~RETAIL SALES – MEDICAL EQUIPMENT SALES AND RENTAL: An establishment engaged in the selling or renting of medical supplies and equipment including blood pressure devices, scrubs, uniforms, scopes, gloves, masks, diagnostic machines, X-ray machines, thermometers, surgical shoes, and the like. Combined under "Retail" based on square footage.~~
- (438) RETAIL SALES - NURSERY: The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers, as well as the sale of garden tools and similar accessory and ancillary products, to the public.
- (439) ~~RETAIL SALES – PHARMACY: A store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices, some medical supplies, and nonprescription medicines but where nonmedical products may be sold as well. Combined under "Retail" based on square footage.~~
- (440) ~~RETAIL SALES – RECREATION EQUIPMENT RENTAL, SALES, AND SERVICE: The use of a site for the sale, rental or servicing of self-propelled recreation equipment including, but not limited to, bicycles, skates, and kayaks. Combined under "Retail" based on square footage.~~
- (441) RETAIL SALES - RECREATIONAL VEHICLES: A lot or parcel used by an authorized dealer/dealership that is primarily in the business of selling new and/or used motorhomes, boats, trailers, ATV's, dirt bikes, UTV's, and related equipment, parts, and accessories. A building housing a sales office, showroom, and repair/service area may be included as part of the dealership. The dealership may also provide rental and/or leasing services.
- (442) RETAIL SALES - SALES LOTS: A lot or parcel of land used for the sale of tiny homes, modular buildings, sheds, accessory structures, manufactured homes, mobile homes, other products and equipment not specifically included and defined under other land use categories within this chapter. See also definition of Retail Sales -

Automotive (new), Retail Sales - Automotive (used), Retail Sales - Recreational Vehicles, Retail Sales - Truck Sales, and Retail Sales - Large Equipment Sales and Rental.

- (443) RETAIL SALES - SECONDHAND/ THRIFT STORES: Retail sales of previously used merchandise, such as clothing, furniture, appliances, household goods, sporting goods, recreational equipment, or other merchandise that is in decent condition or has been restored or reconditioned to a clean and usable condition. This definition excludes the sale of used farm or construction equipment, junk dealers, scrap/dismantling yards, sale of used cars or other vehicles, or pawn shops, but shall include antique, vintage, and consignment stores.
- (444) RETAIL SALES - SHOPPING CENTER: A group of commercial retail and restaurant type establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved master sign plan.
- (445) RETAIL SALES - SHOPPING MALL: A shopping center where stores front on both sides of a pedestrian way, which may be enclosed or open.
- (446) RETAIL SALES - ~~TIRE REPAIR / SALES STORE~~ SHOP: A business or facility that sells and installs tires and offers tire repairs. Some accessory vehicle maintenance and services may be offered as an incidental use.
- (447) RETAIL SALES - TOBACCO / VAPE SHOP: An establishment for either retail or wholesale sales of loose tobacco, plants, cigars, cigarettes, pipes, vaporizing or e-cigarettes, other smoking devices for burning tobacco, and the oils and products associated with the use of and related vaping equipment and smoking accessories. The use includes, but is not limited to, hookah bars and hookah lounges.
- (448) RETAIL SALES - TRUCK SALES (COMMERCIAL / FREIGHT): The sale of heavy-duty vehicles primarily designed for the transportation of cargo and materials over a long distance. Truck sales often involve the assembly of chassis and cabs. (see also definition of Vehicles: Commercial Truck/Vehicles).
- (449) REZONE: To change the City of Caldwell zoning classification of particular lots or parcels of land.
- (450) RIDING SCHOOL (ACADEMY) OR STABLE: Any place that has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule, or burro, or similar animal; or any place that regularly buys, sells, or trains the above animals, including a small racetrack, trotting track, or rodeo.
- (451) ROOMING / BOARDING HOUSE: A nonprofit or for-profit home providing food and shelter to three (3) or more people, but not more than twelve (12) people who are not members of the householder's family, excepting that caring for foster children is not included in this definition.

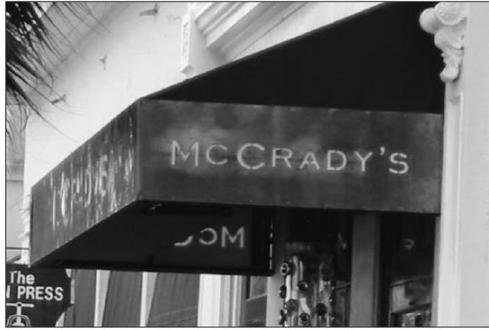
- (452) **ROUND TABLE MEETING:** An informal pre-application meeting scheduled through the planning and zoning department wherein staff from the fire department, engineering department, building department and planning and zoning department are present to provide comments, ordinance requirements, code requirements, policies, and standards to applicants relative to proposed projects. The round table meeting is not a formal plan review and information presented by staff in the round table meeting may change upon formal plan review and/or when more details become available.
- (453) **ROUTINE MAINTENANCE:** Routine maintenance includes such activities as painting an existing building the same color, gutter repair, repairing or replacing broken or damaged materials with the same existing materials, replacing roof shingles or lighting to match the existing that will not change the building's appearance.
- (454) **~~SALVAGE YARD:~~** A facility or area for storing, selling, dismantling, shredding, compressing, or salvaging scrap, discarded material, or equipment. Combined under "Industry - Heavy Industrial" category.
- (455) **~~SAND OR GRAVEL YARD:~~** An area that is being used for the purpose of removing the sand or gravel from the land for wholesale or retail use; excavating and removing rock, stone, ore, soil, gravel, sand, minerals, and similar materials from the surface and/or subsurface for profit. Extractive industries are quarries, sand and gravel pits, mines, and soil removal operations. They are intensive operations that may generate large amounts of truck traffic, noise (including blasting), and dust. Much of the activity may result in odors from asphalt plants, noise and dust from sifters, crushers, and loading and unloading trucks, as well as runoff from washing material and cleaning operations and water sprayed to keep dust down. Blasting can be particularly bothersome to adjacent properties. Combined under "Industry - Heavy Industrial" category.
- (456) **~~SANITARY LANDFILL:~~** A disposal site in which refuse and earth, or other suitable cover material, are deposited and compacted in alternating layers of specified depth in accordance with an approved plan. Combined under "Industry - Heavy Industrial" category.
- (457) **SCHOOLS - COMMERCIAL:** A building where instruction is given and operated as a commercial enterprise. This includes but is not limited to uses such as driver's education services, tutoring, and private educational assistance agencies. This definition does not include preschools, Montessori schools, and the like.
- (458) **SCHOOLS/EDUCATIONA L FACILITY, PRIVATE:** Any building or part thereof that is designed, constructed, or used for education, the use of which meets state requirements for elementary or secondary education, and which does not secure a major part of its funding from any governmental agency; does not include homeschools.
- (459) **SCHOOLS/EDUCATIONA L FACILITY, PUBLIC:** Any building or part thereof that is designed, constructed, or used for education, the use of which meets state

requirements for elementary or secondary education, and which secures a major part of its funding from any governmental agency (including charter schools).

- (460) SCHOOLS - POST SECONDARY: Post secondary schools include colleges, universities and professional schools; technical, trade, and vocational schools; business schools and computer and management training; and fine arts schools and studios.
- (461) SCHOOLS - PRIMARY AND SECONDARY: Any building or part thereof that is designed, constructed, or used for education, the use of which meets state requirements for elementary or secondary education. Primary and Secondary schools may be private or public as defined as "Schools/Educational Facility, Private" and "Schools/Educational Facility, Public".
- (462) SECURITY GUARD QUARTERS: An ancillary building or structure occupied by a watchperson ~~and/or caretaker~~ employed for the purpose of providing security to a primary use and excludes home occupations as defined herein. Security guard quarters may be integrated within the primary business structure or may be separate from the business structure. ~~The quarters shall meet all requirements for a dwelling unit in the city building and fire codes.~~ Security guard quarters are not used as dwelling units. See " Dwelling – Caretaker".
- (463) SETBACK LINE: A line, parallel to the respective lot line, which defines the distance between a building's outermost edge of the outermost foundation wall and any lot line.
- (464) SHED: An accessory structure or building used primarily for storage purposes (dwelling and human habitation is strictly prohibited) which conforms to section 10-12-03-1 of this chapter.
- (465) SHELTER – DAY: A building or space that supplements homeless people when the shelter they are staying in only offers shelter on an overnight basis. Case management, laundry facilities, shower facilities, meals and basic hygiene are often provided.
- (466) SHELTER – EMERGENCY / SOCIAL SERVICES: A building or facility providing temporary accommodation and support to survivors of domestic violence, human trafficking, and sexual exploitation. with or without their minor children, or to survivors of human trafficking. Such shelter shall be operated by a non-profit, charitable, or religious agency. For confidentiality and security of their locations, such shelters shall be permitted by-right in certain zoning districts. Meals and wraparound supportive services may be offered. This definition does not include transitional housing facilities as defined in this article, nor does it include substance abuse/recovery facilities, mental health or behavioral facilities, or similar.
- (467) SHELTER – HOMELESS (overnight): A facility providing temporary housing and minimal support services to indigent, needy, or homeless persons. A building or space, the primary purpose of which is to provide overnight shelter for homeless persons. Accommodation is provided on a temporary basis, meaning that the facility

is intended to serve as a refuge and a bridge between homelessness and residency in a fixed location. Such facility may also provide accessory support services such as food, hygiene, laundry, and staff offices; as well as meeting rooms for counseling, job training, and referrals to state, local or other agencies and organizations.

- (468) SHOOTING RANGE - INDOOR: An indoor facility specifically designed to include impenetrable walls, floors, and ceilings, adequate ventilation, lighting systems, and acoustical treatment for sound attenuation for the discharging of firearms or archery at targets within a building for sport or recreation. Not an amusement center facility.
- (469) SHOOTING RANGE (OUTDOORS): Land used for the outdoor discharging of firearms or archery for sport or recreation.
- (470) SHRUB: A multiple stemmed, woody plant whose height at maturity is between three (3) and fifteen feet (15').
- (471) SIGN – ABANDONED SIGN: A sign that no longer identifies an ongoing business, service, location, product, idea or activity conducted on the property for which the sign is intended to refer.
- (472) SIGN – ANIMATED READER BOARD SIGN: ~~Any sign which uses continuous, or nearly continuous movement, an intermittent or sequential flashing of the light source, or other visual change, which is clearly intended to depict action, create a special effect or scene, or otherwise attract attention or electronically change the advertised message.~~ A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs include (A) Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation; (B) Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means; and (C) Electrically Activated: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of flashing where the repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination, or through patterned illusionary movement by which illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
- (473) SIGN – AWNING OR CANOPY SIGN: ~~A sign that is mounted, painted, or attached to an awning, canopy, or marquee. A sign displayed on or attached flat against the surface or surfaces of an awning.~~



- (474) SIGN – BANNER / FEATHER FLAG SIGN: Any sign of lightweight fabric or similar material ~~with no enclosing framework~~, that is mounted to a building or other structure at one or more edges, but not including those representing a nation, state or other officially recognized public body or institution, or any legitimate public purpose.
- (475) SIGN – BENCH / SHELTER SIGN: A flat, professionally prepared sign permanently fastened to back support/rests or walls or painted directly on the surface of a pedestrian transportation shelter or bench.
- (476) SIGN – BILLBOARD SIGN: See Sign – Pole Sign; Freeway Oriented. ~~Any sign used to identify or communicate about an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located or on which space is leased or rented. Most billboards are also off premises signs.~~
- (477) SIGN – BUSINESS SIGN: ~~A sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises.~~
- (478) SIGN - CHANGEABLE COPY SIGN: ~~A sign, such as a bulletin board or public announcement device, where the message or graphics is not permanently affixed to the structure, framing or background, where the message may be replaced periodically, either manually or mechanically and provided such sign does not constitute an animated or flashing sign as defined herein.~~ A sign, whose message copy or content can be changed manually on the display surface. Changeable copy signs are not internally illuminated and have no electrical activation or animation. For electrically activated and internally illuminated changeable copy signs, see Electronic Message Center.
- (479) SIGN - DILAPIDATED OR DETERIORATED SIGN: A sign which is shabby, neglected, or in disrepair, or which fails to be in the same form as originally constructed, or

which fails to perform its intended function of conveying a message. Any sign which in the opinion of the city has any of the following characteristics (A) Where elements of the surface or background can be seen, as viewed from the normal viewing distance, to have portions of the finished material or paint flaked, broken off, or missing, or otherwise not in harmony with the rest of the surface; (B) Where the structural support or frame members are visibly bent, broken, dented, or torn; (C) Where the panel is visibly cracked, or in the case of wood and similar products, splintered in such a way as to constitute an unsightly or harmful condition; (D) Where the sign or its elements are twisted or leaning or at angles other than those at which it was originally erected (such as may result from being blown or the failure of structural support); (E) Where the message or wording can no longer be clearly read by a person with normal eyesight under normal viewing conditions; or (F) Where the sign is torn, ripped, faded, or fallen into ruin or decay, as from age, wear, or neglect.

- (400) ~~SIGN—DIRECTORY SIGN: A sign that is compatible with the design theme of the development, may include multiple tenants, and is located at the entrance of the development.~~
- (401) SIGN – DOUBLE FACED: A sign with two faces, back-to-back.
- (402) SIGN – DYNAMIC LIGHTING: Includes searchlights, beacons, strobe lights, scintillating lights, and similar lights.
- (403) SIGN – DYNAMIC SIGNAGE: Includes signs with moving parts such as rotating panels or changing lights. This definition includes all moving, revolving, intermittent, oscillating, animated, or flashing signs, but does not include electronic message board signs as defined herein.
- (404) SIGN - ELECTRONIC MESSAGE CENTER OR SIGN (EMC): An electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Also known as an EMB. EMBs typically use light emitting diodes (LEDs) to electronically change the image or message displayed on the message board. Rotating electronic message center signs are prohibited. The following definitions are applicable to Electronic Message Center signs:
- (405) SIGN – ELECTRONIC MESSAGE CENTER; DISPLAY TIME: The amount of time a message and/or graphic is displayed.
- (406) SIGN – ELECTRONIC MESSAGE CENTER; DISSOLVE: A mode of message transition accomplished by varying light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.
- (407) SIGN – ELECTRONIC MESSAGE CENTER; DYNAMIC FRAME EFFECT: A frame effect in which the illusion of motion and/or animation is used.

- (408) SIGN – ELECTRONIC MESSAGE CENTER; FADE: A mode of message transition accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not be legible and the subsequent message gradually increases intensity to the point of legibility.
- (409) SIGN – ELECTRONIC MESSAGE CENTER; FRAME: A complete, static display screen on an Electronic Message Sign.
- (410) SIGN – ELECTRONIC MESSAGE CENTER; FRAME EFFECT: A visual effect applied to a single frame.
- (411) SIGN – ELECTRONIC MESSAGE CENTER; SCROLL: A mode of message transition in which the message appears to move vertically across the display surface.
- (412) SIGN – ELECTRONIC MESSAGE CENTER; TRANSITION: A visual effect used to change from one message to another.
- (413) SIGN – ELECTRONIC MESSAGE CENTER; TRAVEL: A mode of message transition in which the message appears to move horizontally across the display surface.
- (414) SIGN – FREESTANDING: A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. Freestanding signs include ground signs, post signs, pole signs, monument signs, and similar.
- (415) SIGN – FREESTANDING (POST) SIGN: A sign supported from the ground or any nonmovable sign not affixed to a building.
- (416) SIGN - HANGING AND SUSPENDED SIGNS: A sign that is used to help define entries and identify business names to pedestrians. They are small and hang over the building entry if the appropriate clearance is provided. A small, pedestrian-scale sign that is hung or suspended from the underside of a horizontal plane surface and is supported by such surface.



- (417) SIGN – INFLATABLES: Any sign that is expanded or inflated to its full dimensions or is supported internally by gases contained within the sign, or sign parts, at a pressure greater than atmospheric pressure. Without limiting the foregoing, balloons, inflatable figures, inflatable objects, or similar devices that meet the

definition of signs and are inflated or supported internally at a pressure greater than atmospheric pressure shall be considered inflatable signs, but balloons or inflatable figures that are or can be filled with three cubic feet or less of air or gas, are less than 18 inches in height, and typically hand-held shall not be subject to these regulations.

- (418) ~~SIGN – ILLUMINATED: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.~~
- (419) SIGN - ILLUMINATION, EXTERNAL: A sign that is affected by an artificial light source that is not contained within the sign itself.
- (420) SIGN - ILLUMINATION, INTERNAL: Illumination of a sign from any light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface, except for illumination, punch through letter signs. This includes characters, letters, figures, designs or outlines which is illuminated by gas filled luminous tubes, such as neon, argon or fluorescent.
- (421) ~~SIGN - MONUMENT SIGN: A sign with a continuous at grade base, and independent of any structure. Supporting elements, including bases, may not exceed three feet (3') in height and are included in measurement of sign height. Supporting elements, including bases, shall be constructed with materials that are architecturally compatible with the principal structure. A freestanding sign with a continuous at grade base that is constructed from durable materials such as stone, brick, stucco, or a combination of these materials.~~
- (422) ~~SIGN – NAMEPLATE: A permanent, fixed copy sign indicating only the name, address and/or profession of the resident or residents, or the name and/or address of the site or building user(s).~~
- (423) ~~SIGN - NONCONFORMING SIGN: A sign, which was erected legally, but no longer complies with subsequently enacted sign restrictions and regulations. A sign, which was legally installed by permit in conformance with all municipal sign regulations and ordinances in effect at the time of its installation, but which may no longer comply with subsequently enacted laws and ordinances having jurisdiction relative to the sign.~~
- (424) ~~SIGN - PERMANENT SIGN: A name, identification, description, display, illustration, or device which is intended for a permanent period of display. Any sign that is not considered a temporary sign or a real estate sign shall be considered permanent. A sign which is intended for a permanent period of display. Any sign that is not considered a temporary sign shall be considered permanent.~~
- (425) ~~SIGN – POLE SIGN: A freestanding sign that is supported from the ground by pole(s) or a three-dimensional support structure that is not attached to a building and does not fit the definition of a monument sign. A freestanding sign erected on a pole, poles or pylon independent of any building or structure and that does not fit the definition of a monument sign. Also see definition of “Pole Sign; Freeway-Oriented”.~~

- (426) SIGN –POLE SIGN; FREEWAY-ORIENTED: A freestanding pole sign located within 500' of the I-84 interstate right-of-way, with its sign face parallel to, perpendicular to, angle toward, or otherwise readable from the freeway interstate right-of-way. They are specifically oriented to the traffic on the interstate rather than other state or local roadways.
- (427) ~~SIGN –PORTABLE SIGN: Any sign designed to be transported, not permanently attached to the ground or other permanent structure, including, but not limited to:~~
- ~~(1) Signs with wheels, either attached or removed on site;~~
 - ~~(2) Signs with transportable chassis or support constructed without wheels;~~
 - ~~(3) Signs designed to be transported by trailer on wheels or manually;~~
 - ~~(4) A frame, sandwich board signs;~~
 - ~~(5) Signs on balloons and umbrellas.~~
- (428) ~~SIGN - PROJECTING: A sign greater than six (6) square feet other than a wall sign or blade sign that projects from and is supported by the wall of a building or structure. A sign, other than a wall sign, that projects more than eighteen (18) inches from a building face or building wall or from a structure whose primary purpose is other than the support of a sign.~~



- (429) SIGN - PUBLIC REGULATION AND INFORMATION SIGN: A sign erected by a public authority, or by a public service organization granted permission by a public authority, within a public right-of-way, or on private property when required by law, and intended to control traffic, direct, identify or inform the public, or provide a needed public service as determined by the rules and regulations of the sponsoring public authority.

- (430) SIGN – REVOLVING SIGN: A sign that has the capability to revolve three hundred and sixty (360) degrees about an axis.
- (431) SIGN – ROOF SIGN: Any sign which is erected on or above the roofline of a building or structure, and which receives any or all of its support from such roof.
- (432) SIGN - ROTATING SIGN: A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner.
- (433) SIGN - SANDWICH BOARD / A-FRAME SIGN: A temporary sign not anchored to the ground with no more than two (2) panels / faces, each joined at their top and connected by a hinge, allowing them to be opened and closed like a book. A-frames are portable and can be removed and/or repositioned without mechanical aid.
- (434) SIGN - SIGN FACE / COPY AREA: The area of the sign that includes the smallest rectangle(s) within which sign words or other sign copy components can be enclosed, except pole signs where the sign face includes the area of the entire sign structure above the pole on which the sign is mounted.
- (435) SIGN – SUBDIVISION / DEVELOPMENT ENTRY SIGN: A monument or wall sign located at a main entrance of a residential, industrial, or commercial subdivision. A sign located on each side of any entry road leading into a subdivision, planned unit development, master planned development, business park, or industrial park.
- (436) SIGN - TEMPORARY SIGN: A sign which is designed to be used only for a limited period of time, defined herein as "temporary", and is not, nor intended to be, permanently attached to a building, structure, or the ground. A "banner sign", plywood sign, "portable sign", certain changeable copy signs, and yard signs all as regulated and defined in this section may be considered a temporary sign. A sign which is designed to be used only for messages of a transitory or temporary nature and displayed for a limited period of time. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs. See also definition of "Temporary".
- (437) SIGN – TRAFFIC DIRECTIONAL SIGN: Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic to parking areas, loading areas, or to portion of a building or site.
- (438) SIGN - UNSIGHTLY SIGN: Any sign which is in whole or in part: weak, unsafe, broken, inferior or old, torn, worn, faded or otherwise unpleasant or unattractive to look at. Unsightly signs shall be prohibited and are considered a nuisance.
- (439) SIGN - VEHICLE / TRAILER SIGN: Any sign, whether permanent or temporary, attached to a trailer or vehicle that is parked along a public highway or street, or otherwise within the right-of-way.
- (440) SIGN - WALL OR FASCIA SIGN: A sign erected parallel with the surface of a wall or painted on the surface of the wall other vertical or nearly vertical surface of a

~~structure, and not extending more than what is necessary for the construction and support of that affixed wall sign. more than eighteen (18) inches from the building or structure wall. A wall sign also includes any signage or advertising painted directly on the surface of any wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.~~ Murals and art shall obtain separate review and approval through the application of a Mural / Art permit.

- (441) SIGN - WAYFINDING SIGNAGE: A sign, map, or marker designed, constructed, installed and managed by the city or city designee, and located on city property or right-of-way placed by the city that guides the traveling public to key civic, cultural, visitor, and recreational destinations; educational, scholastic or artistic events; community or public interest activities or destinations; designated or recognized civic routes or trails; areas of historical or archaeological significance; or trade shows, events and festivals.
- (442) SIGN - WINDOW SIGN: A sign painted, mounted, or affixed to the surface of a window, including windows within doors or any sign sufficiently near the inside of a window as to make such sign clearly and/or intentionally visible, and easily read, by motorists and pedestrians outside of the building.
- (443) SKYWAY, SKYBRIDGE, SKYWALK: ~~A structure that is used for pedestrian access that extends across or over public rights-of-ways or alleys and will be accessory to a principally permitted or specially permitted use.~~ Combined under “Elevated Pedestrian Walkways”.
- (444) SLAUGHTERHOUSE: ~~Business or establishment for wholesale packaging of meat for future sale, including slaughtering, processing, and/or distribution to retailers. Building where animals are butchered.~~ Combined under “Industry – Animal Slaughterhouse”.
- (445) SMALL ENGINE/EQUIPMENT REPAIR: ~~An establishment for repair and maintenance of small engines and equipment such as lawnmowers, snowblowers, chain saws, and the like. This does not include any type of automotive or vehicular engine/equipment repair.~~ Combined under the “Equipment repair and service” categories.
- (446) SOCIAL SERVICES: ~~A use that generally includes those services which help people become more self-sufficient, prevent dependency, strengthen family relationships, and restore individuals, families, groups, or communities to successful social functioning. Such social services may include, but are not limited to, the following specifically defined services: Homeless shelter, food distribution facility, and food service facility.~~ Already have separate definitions for all of these services.
- (447) SOFTSCAPE MATERIALS: Bark, wood chips, mulch, and similar materials.

- (448) SPECIAL USE: A use which requires review, appraisal, and approval with conditions by the commission or hearing examiner, in a public hearing format. Approval must be obtained, and the conditions of approval must be completed before such a use can be implemented. See section 10-03-04 of this article for special use permit procedures and standards.
- (449) STANDARDS: The term “standards” shall mean mandatory regulations. Standards are indicated by the use of the terms “shall” and “must”.
- (450) STEEP SLOPES: Any portion of a development site where the natural grade of the land has a slope of thirty percent (30%) or greater.
- (451) STEP BACK: An offset or step-like recession in the profile of a building, typically at upper story levels in order to mitigate differences in height from adjacent structures and to reduce the mass of a building. Buildings may be required to follow a prescribed inclined plane from the curb on the opposite side of the street.
- (452) STORAGE - SELF-SERVICE; INDOOR: A facility containing individual, secure, and private storage spaces of varying sizes that are leased or sold. These types of facilities generally have climate-controlled units, have walk-up access within an enclosed building, and may be multi-story.
- (453) STORAGE - SELF-SERVICE; TRADITIONAL: A facility containing individual, secure, and private storage spaces of varying sizes that are leased or rented or sold. These types of facilities generally contain multiple single-story buildings with mostly drive-up units which have natural ventilation but are not climate-controlled and may also contain areas for the storage of RVs or other type vehicles.
- (454) STORY: That portion of a building included between the surface of any floor and the surface of the floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including basements used for the principal use.
- (455) STREET, ARTERIAL: Any street, existing or proposed, with a primary purpose of carrying through traffic. A general term that, when referenced herein, shall include expressways, major and minor arterial streets, interstate, state or county highways, and other arterial classifications having regional continuity.
- (456) STREET, COLLECTOR: Any street whether existing or proposed, with a primary purpose to intercept traffic from integrating local streets and carrying that traffic to an arterial street.
- (457) STREET, LOCAL: Any public street, other than an arterial or collector, which provides access to abutting property and principally serves local traffic.
- (458) STREET, PRIVATE: An access roadway which provides both access and street frontage for individual lots. Private streets are owned and maintained by private individual(s) or entities and not by governmental entities.

- (459) STREET LANDSCAPE BUFFER: A permanent landscaped area located along property boundaries that have frontage on a classified public roadway or are adjacent to right-of-way.
- (460) STREET TREE LIST: The list of acceptable trees to be located within the public right-of-way (see the Treasure Valley Tree Selection Guide).
- (461) STRUCTURE: An object constructed or installed by man, including, but not limited to, buildings, the use of which requires location on the ground or attachment to something having a fixed location on the ground and typically requires a building permit to construct. Structures include, but are not limited to, buildings, walls, fences, and billboards. For the purpose of this article, structures shall not include Wireless Communication Facilities as defined herein.
- (462) ~~STUDIO – ART, DANCE, MUSIC, VOICE, GYMNASTICS, MARTIAL ARTS: An establishment that provides instruction or lessons in art, dance, gymnastics, karate, music, voice, or similar activities in a group setting. Combined under “Fitness Facility – Small Scale”.~~
- (463) SUBDIVISION: See definition of "subdivision" in Chapter 11 of this code.
- (464) SWIMMING POOL: A water filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches (18") below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty inches (30"), designed, used, and maintained for swimming.
- (465) ~~TATTOO PARLOR / BODY PIERCING STUDIO: An establishment specializing in the creation of permanent body art, commonly known as tattoos. The use may also include face and body piercing as an accessory use. An establishment whose principal business activity is placing designs, letters, figures, symbols or other marks upon or under the skin of any person; using ink or other substances that result in the permanent coloration of skin by means of the use of needles or other instrument designed to contact or puncture skin; or creating an opening in the body of a person for the purpose of inserting jewelry or other decoration.~~
- (466) TAXIDERMY SHOP: An establishment specializing in the preservation and mounting of deceased animals, typically for the purpose of display or decoration.
- (467) TEMPORARY: A structure, ~~or~~ building, sign, or use not having or requiring permanent attachment to the ground nor a use intended to permanent in nature, and typically erected or commenced for a consecutive period of six (6) months or less within one calendar year, unless specifically identified elsewhere in this chapter.
- (468) ~~TEMPORARY MODEL HOME OFFICE: A structure built as a house that will, at some point, be used as a residence but is temporarily being used as a model home office with a temporary occupancy permit only. The area used for the model home office shall be limited to the garage only and it shall not exceed five hundred (500) square feet, unless specifically stated otherwise in the application. The expiration date of~~

~~the temporary model home office shall not exceed five (5) years or when the subdivision it serves is fully developed and shall not be extended beyond the stated date unless a new permit is granted. These have been put into the temporary use standards.~~

- (469) ~~TEMPORARY USE: Any use of land that will last for no more than six (6) consecutive months (excepting mobile food units which have an unlimited amount of time) that is not the principal or special permitted use designated for said land. Any activity on a site operating for a limited time of operation as described and in accordance with the Temporary Use section, section 10-12-03-34 of this chapter.~~
- (470) ~~TEMPORARY USE FACILITY: Any vehicle (except mobile food units), tent, canopy, stall, booth, cart, trailer, or any other facility used in conjunction with a temporary use.~~
- (471) ~~THEATER: A building or part of a building used to show motion pictures or for drama, dance, musical, or other live performances. Combined in the "Arts, Entertainment and Recreation - Indoor" category.~~
- (472) ~~THEATER, DRIVE-IN: An open lot devoted primarily to the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles. Combined in the "Arts, Entertainment and Recreation - Outdoor" category.~~
- (473) THERAPY / REHABILITATION FACILITY: A facility that provides either short term or long term, inpatient or outpatient care, treatment, and/or rehabilitation services for persons recovering from illness, disease, or injury who do not require continued hospitalization.
- (474) TOPPING: Rounding, stubbing, or any other term that can be described as severe cutting back of the central leader or limbs within a tree crown to buds, stubs, or laterals not large enough to assume a terminal role as defined in ANSI A300. This removes the natural canopy, disfigures the tree, and increases disease and insect infestation.
- (475) TOT LOT: A small, improved playground specifically designed for toddlers and young children and equipped with age-appropriate equipment to ensure safety and provide a stimulating environment for developmental play.
- (476) TRAILER: A mobile structure mounted on a chassis and wheels, towed or hauled by another vehicle, and used for carrying materials, goods, or objects, or as temporary offices. Use of a trailer as a temporary office shall comply with ~~section 10-02-13~~ the temporary use section of this chapter.
- (477) ~~TRANSIENT MERCHANT: Any person who engages in a temporary business, not to exceed seven (7) consecutive days, of selling, trading, offering for sale or trade, or displaying for the purpose of sale, trade, or giveaway any goods, wares, merchandise, or services within City limits and who in the furtherance of such purpose, hires, leases, uses or occupies any premises, including any parking lot,~~

~~within the City for the purposes of conducting said temporary transient merchant business. A parcel of land shall be limited to a maximum of four (4) such sales during any calendar year, with no sale occurring within the previous thirty (30) calendar days.~~ These have been put into the temporary use standards.

- (478) ~~TRANSIENT MERCHANT FACILITY: Any tangible structure including, but not limited to, a stall, booth, tent, platform, box, table, rack, pallet, trailer, cart, vehicle, container, or other form of offering, displaying, or storing goods and/or services used in conjunction with a transient merchant. No food preparation is permitted in a transient merchant facility.~~
- (479) TRANSIT-ORIENTED DEVELOPMENT (TOD): A development pattern characterized by a mix of uses surrounding a transit platform where streets have a high level of connectivity, blocks are small, and streetscape, buildings, and uses cater to the pedestrian.
- (480) TRANSIT STATION: A building or structure or area used for the pick-up, drop-off or waiting of passengers for bus, rail, or other forms of public transportation.
- (481) TRANSITIONS – LAND USE: An array of tools and techniques designed to ensure compatibility between adjoining land uses that may differ by type and in intensity. Land use transitions include but are not limited to designing and adapting the form, scale, and massing of a building to take into consideration neighboring buildings and land uses, and the use of landscaping, berms, fences, walls, or any combination of these, to buffer and screen a more intense land use from an adjacent, less intense land use.
- (482) TREASURE VALLEY TREE SELECTION GUIDE (the "Tree Selection Guide" or the "Guide"): A document created by public, private, and non-profit stakeholders engaged in growing, planting, planning for and managing the region's community forest resources. The Guide answers the most commonly asked questions about appropriate tree selection in a number of different landscape locations and applications throughout the Treasure Valley. The Guide is available at the Caldwell Planning and Zoning offices, or online at tvcanopy.net/tree-selection.
- (483) TREES - CLASS I: Small trees which normally do not reach over twenty-five feet (25') through thirty feet (30') in height and width. The spacing is twenty feet (20' to thirty feet (30') between trees. Class I trees are good for under power lines or smaller planting areas.
- (484) TREES – CLASS II: Usually considered medium sized trees mostly planted for their shade and excellent use in landscape and parkway plantings. Reaching thirty feet (30') to forty feet (40') and over in height and width. Spacing thirty feet (30') to forty feet (40') feet between trees.
- (485) TREES - CLASS III: Many are long lived and attain large height and trunk diameter. When selecting a tree from this class, be sure to have ample room to accommodate it

at maturity. May reach seventy feet (70') to one hundred feet (100') in height and width at maturity. Spacing forty feet (40') to sixty feet (60') between trees.

- (486) TREE COMMITTEE: There is hereby created and established a Shade Tree Committee for the City of Caldwell, which shall consist of six members who reside within the city. The committee shall be comprised of five at-large members and one member who shall be a member of the Parks and Recreation Commission. Members of the Tree Committee shall be nominated by the Mayor and confirmed by a majority of City Council members.
- (487) TRUCK STOP: Any building, premises, land, or business which includes the dispensing of motor fuel or other petroleum products directly into commercial vehicles and the sale of accessories or equipment for commercial vehicles and which may include personal hygiene facilities and/or restaurant facilities primarily for the use of commercial vehicle crews. May also include facilities ~~involving maintenance, servicing, storage, or repair~~ providing for the short-term parking of commercial vehicles to allow drivers to rest.
- (488) U-PICK FARM: A type of farm operation where the emphasis is on customers harvesting their own fruits, vegetables, flowers, or other crops directly from the fields. Also known as Pick-Your-Own (PYO) farm operation.
- (489) USE: The purpose or activity for which land, structures or buildings are designed, arranged, or intended or for which land, structures or buildings are occupied or maintained.
- (490) UTILITY EASEMENT: An easement established for the placement of sewer, water, storm drainage, and/or other utility conveyances such as gas, cable, and telephone.
- (491) VARIANCE: A waiver to provide ease and relief from ~~modification of~~ the bulk and placement requirements of the zoning ordinance as to one or more of the following items only: Minimum lot area (square feet); Minimum lot width; Minimum lot frontage; Minimum front yard setback; Minimum rear yard setback; Minimum interior side yard setback; Minimum street side yard setback; Maximum building height; Minimum required parking spaces; Any other zoning ordinance provision affecting the size or shape of a structure or building or the placement of a structure or building upon a lot, or the size of lots.
- (492) VEHICLE: ~~Motorized units which are self-propelled devices used for transportation of people or goods over land surfaces and licensed as a motor vehicle, and which are further defined below:~~ A device in, upon or by which any person or property is or may be transported or drawn upon a highway or street excepting devices moved exclusively by human power or used upon stationary rails or tracks. Examples include, but are not limited to, the following: cars, trucks, motorcycles, RVs, trailers, campers, boats, buses, tractors, pop tents/trailers, ATVs, scooters and vans.
- (493) VEHICLE - COMMERCIAL TRUCK / VEHICLE: A commercial truck/vehicles is defined as (A) Any solid waste collection vehicle, tractor truck/semitrailer or tractor

truck/trailer combination (or part thereof), dump truck, concrete mixer, commercial vehicle step vans, buses, stake trucks, tank trucks, commercial or construction equipment, whether located on public or private property or on a truck, trailer, or semitrailer; (B) Any trailer, semitrailer, or other vehicle in which food or beverages are stored or sold; (C) Any trailer or semitrailer used for transporting landscaping or lawn care equipment whether or not such trailer or semitrailer is attached to another vehicle; (D) Any taxicab or limousine(s); (E) Any truck or vehicle registered as a commercial vehicle; (F) Any other trailer, semitrailer, or similar used for commercial purposes; or (G) Vehicles exceeding a maximum gross vehicle weight rating (GVWR) of 15,000 pounds (excluding pickup, dually-style trucks, and SUV type vehicles used for residential purposes).

- (483) VEHICLES - OFF-ROAD: Those vehicles designed for use on a variety of non-improved surfaces and including dune buggies and all-terrain vehicles (ATVs), dirt bikes, snowmobiles, trail bikes and mopeds.
- (484) VEHICLE - PASSENGER: Those vehicles with no more than two (2) axles and/or four (4) wheels, not more than four thousand five hundred (4,500) pounds in gross weight and designed primarily for the transport of persons.
- (485) VICINITY MAP: A type of map that displays a specific area and its surroundings.
- (486) VIOLATION WARNING/NOTICE: A written notice to a responsible person issued by the citing official that there exists a violation of chapters 10, 11, 12, and/or 13 of this code with instructions on how to remedy said violation.
- (487) VINEYARD: A site primarily utilized for the raising of grapes, where said grapes will be utilized for the future production of wines.
- (488) VISION TRIANGLE: A protected vision area established to ensure that drivers have an unobstructed view as they come upon a driveway access, alleyway, or intersection. Measuring from the projected intersection of the roadway edge a distance of forty feet (40') along each roadway edge and connecting the two (2) points with a straight line defines the boundaries of a vision triangle at the intersection of two (2) roads. The edge of the roadway shall be defined as the back of curb or where the curb would be if no curb is installed.
- (489) WALKABLE: A distance of one-quarter (1/4) mile or within a five (5) to ten (10) minute walk.
- ~~(490) WAREHOUSE AND STORAGE (A building used primarily for the storage of goods and materials by the owner of the goods or operated for a specific commercial establishment or group of establishments in a particular industrial or economic field. Combined into the "Industry" categories.~~
- (491) WATERWISE MEDIANS: Medians made of plants that naturally require water less often throughout the growing season than most typical residential landscape plants.

- (492) WEEDS: Undesirable plant growth that is unkempt, unsightly, deleterious and/or injurious to the public. Weeds include noxious weeds, grasses, unkempt bushes and any plant meeting this description. The Canyon County weed control department keeps a list of weeds that are considered noxious.
- (493) ~~WELDING SHOP: An establishment, less than 10,000 sq. ft. specializing in metal fabrication services including, but not limited to, welding, cutting, shaping, and finishing metal material. The use also includes the accessory storage of required materials, chemicals, and associated tanks containing pressurized and flammable gases required for welding. For welding shops in excess of 10,000 sq. ft., see "Manufacturing" definitions" Combined into the "Industry" categories based on square footage.~~
- (494) WHOLESALE SALES, GENERAL: The use of a site for selling, distributing, or brokering merchandise to retailers, business users, or other wholesalers. This use can include incidental retail sales to the public.
- (495) WHOLESALE SALES, NURSERY: The growth, cultivation, storage, and sale of garden plants, flowers, trees, and shrubs to landscapers, developers, builders, and retail nurseries.
- (496) ~~WINERY/BREWERY CIDER~~Y: A site that produces or manufactures wine, and/or ~~malt liquors, and/or fermented malt beverages~~ ciders for wholesale or retail consumption or distribution.
- (497) WINETASTING ESTABLISHMENT: A structure or building wherein the tasting, sampling, display and/or sales of wine, cider, and/or beer takes place.
- (498) ~~WIRELESS COMMUNICATIONS FACILITY: A parcel of land containing a tower, sending, and receiving antennas attached to the tower, and a prefabricated or modular structure or cabinets containing electronic equipment, in addition to associated ground equipment and other similar equipment used in the wireless communications industry. Broken into two (2) categories below.~~
- (499) WIRELESS COMMUNICATIONS FACILITY - LARGE SCALE: A tower, steel monopole, or similar structures including wireless antenna equipment such as transmitters, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, as well as ground support structures, equipment buildings and parking areas.
- (500) WIRELESS COMMUNICATION FACILITY - SMALL SCALE: Antennas and equipment required for the operation and maintenance of small cells, fixed wireless antennas, and including distributed antenna systems (DAS) installed on utility, traffic light, and signal poles in the public right-of-way.
- (501) WIRELESS COMMUNICATIONS FACILITY, AESTHETIC ZONE: The area of a circle, centered about the center of the base of a Wireless Communication Facility (WCF), as defined herein, and whose radius is the height of the WCF when applied to a residential zone and one-half (1/2) the height when applied to a nonresidential

zone, to include easement dimensions as part of the zone consideration. The purpose of the aesthetic zone is to minimize visual obtrusiveness by relating setback distances to the height of the tower.

- (502) WIRELESS COMMUNICATION FACILITY HEIGHT: When referring to a tower or other structure, it means the distance measured from the finished grade of the platform or two feet (2') above the ground, whichever height is the lesser, to the highest point on the tower or other structure, including any antenna.
- (503) WOODWORKING SHOP: ~~A business or shop where wood is cut, shaped, and constructed into products for sale elsewhere.~~ Combined into "Industry" categories.
- (504) WOOD-PROCESSING PLANT: ~~A plant or facility that utilizes various procedures to process wood for the creation of substances, materials, or products; or supplies raw wood that serves as the raw materials for the manufacture of various wood-based products.~~ Combined into the "Industry" categories.
- (505) YARD: An open space that lies between the principal building or buildings and the nearest lot line.
- (506) YARD - FRONT: A space extending the full width of the lot between the main building and the front lot line and measured perpendicular to the building at the closest point to the front lot line. For residential lots, the front yard area shall also include any additional yard areas between the furthest point of the residence's front door and measured perpendicular from that point to the front lot line.
- (507) YARD - REAR: A space extending across the full width of the lot between the principal building and the rear lot line, measured perpendicular to the building to the closest point of the rear lot line.
- (508) YARD - SIDE: A space extending from the front yard to the rear yard between the principal building and the side lot line, measured perpendicular from the side lot line to the closest point of the principal building.
- (509) XERISCAPE: ~~(not zeroscape): Nontraditional water conservation landscaping or dry landscaping permitted as a landscape substitute. The process of landscaping, or gardening, that reduces or eliminates the need for irrigation (zeroscape is an often-mispronounced term for xeriscape, zeroscape refers to landscape treatments only containing rock materials with limited design and no plantings).~~
- (510) ZEROSCAPE: Zeroscape landscapes are made up of dirt/gravel and have zero plants. Zeroscape landscaping is not permitted within the City of Caldwell.
- (511) ZONING: The delineation of districts and the establishment of regulations governing the use, placement, spacing, and size of land and buildings.
- (512) ZONING MAP: The map or maps that are a part of the zoning ordinance and delineate the boundaries of zone districts.

(513) ZOO: A place where animals are kept, often in a combination of indoor and outdoor spaces, and exhibited to the public for educational, conservation, and/or entertainment purposes. (Ord. 3576, 3-19-2024)