

CHAPTER 2

DEFINITIONS

This Land Use, Development, and Management Ordinance (LUDMO) adopts the definitions for terms set forth in County Land Use, Development, and Management Act (CLUDMA). The following additional terms or modifications of CLUDMA terms used in this LUDMO are defined as follows. ANY TERM NOT DEFINED IN CLUDMA OR HEREIN SHALL BE GIVEN ITS ORDINARY MEANING.

ABATEMENT: The repair, replacement, removal, destruction, correction, or other remedy of a condition which constitutes a violation of this LUDMO or the conditions or terms set by permits, licenses, or other approvals by such means, in such a manner, and to such an extent as an enforcement officer determines is necessary in the interest of the general health, safety, and welfare of County inhabitants.

ACCESSORY BUILDING: A building or structure, the use of which is incidental and subordinate in size and use to the main building and not intended as a dwelling.

<p>ACCESSORY DWELLING UNIT (ADU): A building other than the primary dwelling which is used as a dwelling on a shared lot with the primary dwelling as either an internal or detached unit, including a long term RV, as defined by State code.</p>	<p>ACCESSORY DWELLING UNIT (ADU). A building other than the primary dwelling which is used as a dwelling on a shared lot with the primary dwelling but is not an internal accessory dwelling unit as defined by State code. It provides all utilities necessary for human occupation, approved by the county board of health and satisfies building and fire code requirements. An ADU may not exceed 50% of the primary dwelling square footage or 1,200 square feet, whichever is smaller. It is also referred to as a mother-in-law dwelling, caretaker dwelling, and similar terms. Unless specifically permitted, an ADU may not be used as a short-term rental</p>
<p>2026 Proposed</p>	<p>ADOPTED ORDINANCE 2024-01 Signed (1-16-2024) APENDIX B</p>

ACCESSORY DWELLING UNIT (ADU): A building other than the primary dwelling which is used as a dwelling on a shared lot with the primary dwelling as either an internal or

detached unit, including a long term RV, as defined by State code.

ACCESSORY USE: A use that:

1. is customarily incidental to and found in connection with a principal or main use;
2. is subordinate to the principal or main use;
3. is subordinate in extent, area or purpose to the principal or main use;
4. is located on the same lot as the principal or main use; and
5. contributes to the comfort, convenience or necessity of occupants, business or industry of the principal or main use.

ADVERSELY AFFECTED PARTY: A person other than a land use applicant who: (a) owns real property adjoining the property that is the subject of a land use application or land use decision; or (b) will suffer a damage different in kind than, or an injury distinct from, that of the general community as a result of the land use decision.

AGRICULTURAL LAND: Land devoted to the raising of plants and animals with a reasonable expectation of profit, including: forages and sod crops, grains and feed crops, livestock, trees and fruits, or vegetables, nursery, floral, and ornamental stock; or land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.

AGRICULTURAL ZONE: Those areas designated in the Zoning Ordinance of San Juan County, Utah as AG and where the primary permitted land use is as agricultural land.

AIRPORT: Any area of land or water used or intended for landing or takeoff of aircraft including appurtenant area used or intended for airport buildings, facilities, as well as rights of way together with the buildings and facilities.

AIRPORT APPROACH AREA: Means all that land which lies directly under an imaginary approach surface centered on the extended centerline at each end of a runway. The inner edge of the approach surface is at the same width and elevation and coincides with the end of the primary surface.

AIRPORT TRANSITION AREA: The land lying under those surfaces extending outward and upward at right angles to the runway centerline.

AIRPORT TURNING AREA: The area of an airport, other than the approach zone, which is used for turning operations of aircraft.

AIRSTRIP: An airfield without normal airport facilities.

ALLEY: A public thoroughfare less than twenty-five feet (25') wide.

ALTERATION: Any change or rearrangement in the supporting members of an existing structure, such as bearing walls, columns, beams, girders or interior partitions, or any change in the dimensions or configurations of the roof or exterior walls, as well as any change of location of doors, windows, means of ingress or egress, or any expansion or diminution of a building or structure.

ALTERED: Any change in the construction or addition to a building that increases or decreases the capacity or changes the use.

ANGLE: The rotation required to superimpose either of two lines on the other.

ARENA: An indoor or outdoor, public or private, commercial or noncommercial facility which is set aside for showing, training or exercising livestock.

ATHLETIC CLUB: An establishment providing facilities for physical development, exercise, sports or recreation. Facilities may include indoor bathing, restaurant or snack bar, and sales of athletic equipment. Facilities may be open to the public for a fee or available only to persons holding membership.

AUTO REPAIR: A building or premises used for the repair of any passenger auto, pickup truck, semi tractor, tractor trailer, recreational vehicle or similar vehicles where the repair includes, but is not limited to, the rebuilding of engines, transmissions or differentials

AUTO-WRECKING/SALVAGE YARD: See also definition of Junkyard. Any lot, portion of lot or tract of land used for the storage and keeping of salvage, including scrap metals or other scrap material, or for dismantling or demolition of automobiles or equipment, machinery or parts thereof; provided, that this definition shall not be deemed to include such uses which are clearly accessory and incidental to any agricultural use permitted in the zone.

AWNING: A roofed structure constructed of fabric or metal placed so as to extend outward from the building providing a protective shield for doors, windows and other openings with supports extending back to the building, supported entirely by the building.

BARN/AGRICULTURAL BUILDING: An accessory structure upon a lot customarily used for the housing of animals/livestock, storage of crops or feed, and/or machinery used in agricultural activities.

BASEMENT: A story more than 50% or fully underground. A basement shall be counted as a story for the purposes of height measurement if its height is one-half (1/2) or more above grade.

BEARING: An angle (on a survey) less than 90° within a quadrant defined by cardinal directions.

BED AND BREAKFAST/~~BOARDING HOUSE~~: A single-family residence occupied by an owner-operator, with no more than eight (8) bedrooms located in the main residence, providing temporary accommodations (for compensation) on a nightly basis, not to exceed thirty (30) days.

BIG BOX RETAIL: Any single retail store with a gross main floor area of over forty thousand (40,000) square feet.

BLOCK: An area of land entirely bounded by streets.

BUILDING: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels.

BUILDING, HEIGHT OF: The vertical distance from the average finished grade surface to the highest point of the building roof or coping.

BOARDING HOUSE:

BUILDING OFFICIAL: The officer or other designated authority appointed by the county to administer and enforce provisions of the building code.

BUILDING LINE: A line parallel to the front, side or rear lot line and established at the point where that lot line is closest to any part of the building or structure exclusive of the ordinary projections of skylight, sills, belt courses, cornices, chimneys, flues and ornamental features which do not project into a yard more than two and one-half (2-1/2) feet, and open or lattice enclosed fire escapes, fireproof outside stairways and balconies open upon fire towers which do not project into a yard more than five (5) feet.

BUILDING, MAIN: The building on a site which houses the main use.

CAMPING: A recreational or temporary activity (less than 20 consecutive days per calendar year) which involves staying overnight in the open, in a tent, or a trailer, camper, RV, or recreational vehicle.

CAMPING, COMMERCIAL: Camping where, for a fee, a hospitality company, business, or other individual provides a form of recreational, temporary lodging (like a tent, yurt, trailer, RV, or similar structure) or a location to erect such a structure for a fee.

CAMP PARK: A location for commercial camping consisting of two or more campsites.

CARPORY: A private garage not completely enclosed by walls or doors. For the purposes of this ordinance, a carport shall be subject to all of the regulations prescribed for a private garage.

CERTIFICATION: The confirmation of an official document or a copy thereof by an authorized official.

CHILDCARE CENTER: A childcare facility that regularly provides custodial care for six (6) or more children during the part of any day.

CHILDCARE, HOME: Childcare operated on residential premises.

CHURCH OR TEMPLE: A building, together with its accessory buildings and uses, where persons regularly assemble for worship, which building, together with its accessory buildings and uses, is maintained and controlled by a religious body.

CLINIC, DENTAL AND MEDICAL: A building in which a group of physicians, dentists and allied professionals and assistants are associated for the carrying on of their professions, including a dental or medical laboratory. "Clinic" does not include inpatient care or operating rooms for major surgery.

CLUDMA: The County Land Use, Development, and Management Act, currently codified as Utah Code sections 17-27a-101 *et seq.*, and as hereafter amended.

CLUSTERING: A subdivision or development design technique that concentrates the buildings or lots on a part of the site or sites to allow the remaining land to be used for recreation, common open space, preservation of travel corridors, and/or environmentally sensitive areas.

COLLATERAL: Funds or some other valuable pledged as security against a promise to repay or perform certain actions.

COMMERCIAL USE: The purchase, sale or transaction involving the disposition of any article, substance, commodity or service; the maintenance or conduct of offices, professions or recreation or amusement enterprises and intended to be conducted for profit, and also including the renting of business offices, sales display premises, and short-term rentals.

COMMON AMENITIES: Amenities provided for the residents of a development that are owned in common by residents of the development.

COMMON AREA: An area of common ownership designed to serve the recreational, open space or other similar needs of owners within the development and is not a commercial use. Common areas may include, but are not limited to: outdoor space, landscaping, fences, clubhouses, tennis courts, golf courses, swimming pools and other

jointly used and owned space approved as part of the development proposal.

COMMUNITY USE: Uses that have the primary purpose of serving the educational, recreational, religious or governmental needs of the community in general. Such uses may include churches, public and private educational institutions, private nonprofit recreation grounds, public parks, public buildings, public facilities, cemeteries and other similar uses. This definition shall not include such uses as detention facilities, halfway houses, alcohol rehabilitation centers and other similar uses.

CONDOMINIUM: The ownership of a single unit in a multi-unit project or structure which may be combined with an undivided interest in the common areas and facilities of the property and meeting all requirements of the condominium ownership act of the state of Utah.

CONFIGURATION: The shape of a boundary or perimeter line, the shape of a lot, block or subdivision.

CONSERVATION EASEMENT: An easement voluntarily placed on property to ensure that no future development will occur. The easement will be held by a third party and maintained in perpetuity.

CORRAL: A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for the confinement of animals.

CULINARY: Water intended for human consumption, usually required to meet certain health standards.

DEDICATION: The conveyance of land or an easement thereon through a final plat or other instrument to a public agency or to one or more persons for a specific purpose.

DELINEATE: To draw or trace the outline of.

DRAINAGE DITCH: Any system of canals or ditches naturally existing or constructed to carry surface and/or subsurface water to a natural stream, whether or not the ditches or canals carry water filed upon by individuals to be used for irrigation purposes.

DRIVEWAY: Private access for vehicles to a residence, parking space, garage or other structure.

DWELLING: A building designed or used for residential occupancy, including one-family, two-family, multi-family, manufactured homes, modular homes, and apartment structure; but shall not include boarding, rooming or lodging houses, tents, trailers, RVs that are not long-term RV dwellings, motels, motor courts, motor lodges, cottage camps, or any short-term rentals or uses primarily for transient residential uses.

DWELLING, MULTIPLE-FAMILY: A dwelling or group of dwellings on one lot containing separate living units for three (3) or more families having separate or joint entrances or a two-family dwelling on a single lot.

DWELLING, SINGLE-FAMILY: A building designed for and occupied exclusively by one family on a separate lot and not sharing any common wall.

DWELLING, TWO-FAMILY: A dwelling sharing a common wall or walls or floor to ceiling, but each unit being located on an individual lot including twin-homes and townhomes.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT: A right, such as a right of way, afforded a person to make limited use of another's real property.

EATERY / FOOD ESTABLISHMENT: Any business establishment where foods or beverages are prepared for consumption and consumption occurs in either the building, on the premises or within a motor vehicle parked thereon, or off premises.

ELECTRONIC MESSAGE CENTER (EMC): Any sign, or portion thereof, that displays electronic images, graphics or pictures, with or without textual information. Such a sign has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights, including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. EMC includes computer programmable, microprocessor controlled electronic or digital displays.

ENCLOSED STORAGE, COMMERCIAL: A building or structure, or portion thereof, used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-serve basis.

ENFORCEMENT OFFICER: The director of the planning and zoning department, building inspector, sheriff or their authorized representative, or some other duly assigned officer of the county that is authorized as the agent charged with the enforcement of this title.

ESCROW DEPOSIT: The placement of cash in a special account held by a bank or other financial institution to be released upon completion of specific tasks such as construction of a road.

EVAPORATION POND: Artificial ponds with very large surface areas that are designed to efficiently evaporate water by sunlight and exposure to the ambient temperatures.

EXPANSION: An increase in the size of an existing structure or use, including physical size of the property, building, parking and other improvements.

FAMILY: An individual or two (2) or more persons related by law, blood, marriage or adoption, or up to four (4) unrelated persons, living together in a single dwelling unit and maintaining a common household.

FAMILY CARE HOME: A dwelling wherein room, board, care and supervision are provided by the resident family in a home setting to persons who are handicapped, mentally ill or developmentally disabled and who are provided with a program of services, including training in vocational and recreational activities. To qualify, the dwelling must be approved or operated by an agency of the Utah state government.

FAMILY DAYCARE CENTER: A dwelling or place of business wherein a resident family provides ordinary care and supervision during customary daytime periods to non-related persons.

FARM: An operation in which land is used for the production of food, feed or fiber.

FARM ANIMALS: Animals and fowl such as commonly used for food or fiber production, or as a beast of burden, for commercial, recreational, or pleasure purposes.

FARM INDUSTRY: The keeping and raising of farm animals and/or fowl for domestic or commercial use, such as fur farms, livestock feed yards, pig farms, dairy farms, stables, ranches and similar uses, and accessory uses thereto.

FENCE: A structure erected to provide privacy or security that delineates a private space or is used to constrain animals.

FENCE, SIGHT OBSCURING: A fence that is three feet (3') or more in height that is constructed or planted in such a fashion that causes fifty percent (50%) or more opaqueness at any angle of view through such a fence.

FRONTAGE: All the property fronting one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

FIRE HAZARD: Any situation, process, material or condition that may cause a fire or explosion or provide a ready fuel supply to augment the spread or intensity of the fire or explosion and that poses a threat to life or property.

FIRST LIEN AND RESTRICTION OF SALE: A form of collateral wherein the County places a lien on one or more lots in a subdivision and prohibits the sale of those lots until specified public improvements have been satisfactorily completed.

FLOODPLAIN: The flood from whatever source having a one percent (1%) chance of being equaled or exceeded in any given year, otherwise commonly referred to as the one hundred (100) year flood. Areas (100-year flood areas) as defined in FEMA's federal insurance rate map.

FLOODPLAIN DATA: Information that defines the boundary of a floodplain, either mapped or given in elevations.

FRONTAGE: All the property fronting one (1) side of the street between intersecting or intersecting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

GARAGE, PRIVATE: An accessory building designed or used for the storage of not more than four (4) automobiles owned and used by the occupants of the building to which it is accessory, provided that on a parcel occupied by a multiple family dwelling, the private garage may be designed and used for the storage of one and one-half (1 1/2) times as many automobiles as there are dwelling units in the multiple family dwelling, if the garage and dwelling have a roof or wall in common.

GARAGE PUBLIC: A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor-driven vehicles.

GARAGE/YARD SALE: The sale of personal belongings in a residential zone, which sale is conducted by a legal resident of the premises or their designee.

GASOLINE, RETAIL: A building or premises used for the sale of gasoline and limited amounts of other oil products. Such premises may also include the sale of food products.

GENERAL PLAN, SAN JUAN COUNTY: The document adopted by the county that sets forth general guidelines for proposed future development of the unincorporated land within the county.

GLAMPING: Glamorous Camping (or Glamping) means a form of Camping where a hospitality company, business, or individual provides a form of lodging, whether in a tent or yurt or similar structure, where guests can experience the positive aspects of camping. The amenities found at glamping sites far exceed those found at a traditional camping site and may include supporting structures.

GLAMPING LOT: A unit of land not less than two thousand (2,000) square feet that consists of not more than one (1) glamping unit.

GLAMPING UNIT: A canvas-like structure designed to be used or occupied for transient and recreational purposes. Canvas-like structures include, but are not limited to: tents, yurts, teepees, covered wagons, etc. No glamping unit as herein defined shall be located, placed, used, or occupied for long-term residential purposes.

GLAMP-GROUND: An area consisting of more than one (1) glamping unit.

GRADE PLANE: A reference plane, representing the average of the finished ground level, adjoining the building at all exterior walls.

GRAVEL PIT: See critical infrastructure material and operations as defined in Utah Code Ann. §17-27a-1001 and its successors.

HARD SURFACE: An impermeable, dust free surface, such as concrete or asphalt. Road base does not qualify.

HANGAR: An accessory building specifically designed or suited for the storage of aircraft and aircraft related materials. Hangars must be located with unobstructed access to an airport or airstrip.

HOME OCCUPATION: A nonresidential activity, conducted primarily within a dwelling unit which is clearly secondary to the use of the dwelling for residential purposes, not normally associated with residential use, and may not constitute a nuisance.

HOMEOWNER'S ASSOCIATION (HOA): An incorporated nonprofit organization operating under recorded land agreements through which: a) each lot/homeowner is automatically a member; and b) each lot is automatically subject to a proportionate share of the expenses for the organization's activities and interest, such as maintaining and operating open spaces, landscaping, common property or facilities.

HOSPITAL: An institution licensed by the state of Utah providing inpatient health services for human beings, and primarily medical or surgical care of the sick or injured, and such other services and accessory uses as normally provided for its administration and operation

HOSPITALITY RENTALS: Bed and Breakfasts/Boarding Houses, Commercial Camping, Glamping, Hotels, Lodging Houses, Motels, Private Camps/Resorts, RV Parks, Tourist Courts, RV/Trailer Camps, Single Sleeping Units, and similar commercial uses renting a Structure (or a room in a Structure) for the purpose of overnight or longer occupancy by the renter. Excludes Short-term Rentals.

HOTEL: Any structure or group of structures with more than 5 single sleeping units intended for short-term rental in which the egress is internal to each single sleeping unit.

HOUSEHOLD PET: Animals, fish, or fowl ordinarily permitted in the house and kept for company or pleasure and not for profit, such as dogs, cats, fish, and small birds, but not including a sufficient number of dogs to constitute a kennel. Household pets shall not include chickens or any animals that are prone to inflicting harm or discomfort, or endangering the health, safety or welfare of any person or property, or are defined herein as animal units, or are otherwise regulated by Utah Code Title 23.

ILLEGAL USE: Any use of land or a structure which is inconsistent with current codes and/or was inconsistent with previous codes in effect when the use was established.

ILLEGAL LOT: Any lot or parcel of land which was not created in conformance with the county ordinance in effect at the time the lot was recorded.

INDUSTRY: The organized action of making of goods and services for sale.

JUNK: Any scrap, waste, reclaimable material or debris whether or not stored or used in conjunction with dismantling, processing, salvage, storage, disposal or other use or disposition. "Junk" includes, but is not limited to, tires, furniture, tools, paper, rags, plastics, cordage, scrap iron or other metal, glass, building materials, machinery and appliances, or parts thereof, brush, wood and lumber, solid waste, and vehicles and parts thereof.

JUNK YARD: An open area where junk, used or secondhand materials are bought, sold, exchanged, processed or dismantled for parts. An automobile wrecking yard or a salvage yard is also considered a "junkyard". The use of buildings used in conjunction with an operation does not exclude the operation from the definition unless the operation is wholly within the buildings and there is no outside storage.

LAND DIVISIONS: Land that is proposed to be divided by a platted or minor subdivision.

LETTER OF CREDIT: A document issued by a bank or other financial institution which guarantees a subdivider or developer a specific amount of credit and which can be called by the County for failure to perform specified improvements.

LIVESTOCK FEEDLOT: A feeding operation on a parcel of land where livestock are conditioned for market on a year-round basis and where the feed is brought to the yard, as contrasted to feed obtained through grazing the animals on the premises.

LOCAL DISTRICT: As defined by Utah Code Title §§17B, 17C, 17D.

LODGING HOUSE: A building where lodging only is provided for compensation to five (5) or more, but not to exceed fifteen (15) persons. See short-term rental.

LONG TERM RENTAL: The renting of a single sleeping unit(s) that includes provisions for living, sleeping, eating, cooking and sanitation for a period of 28 days or longer or a

dwelling unit for a period of 28 days or longer. An accessory building may not be used as a long-term rental or for human occupancy.

LONG TERM RV DWELLING: An RV, including a park model RV, that is used as a dwelling.

LOT: As defined in Utah Code Title §17-27a-103 et seq.

LOT AREA: The horizontal area within the exterior lines of the lot, exclusive of any area in a public or private way open to public uses.

LOT, CORNER: A lot bounded by two (2) or more abutting and intersecting street lines that has frontage on multiple sides.

LOT DEPTH: The horizontal distance between the front yard and the rear lot

LOT LINE ADJUSTMENT: The relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record, pursuant to state law.

LOT LINE, FRONT: For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.

LOT FRONTAGE: That part of a front lot line that abuts a street.

LOT INTERIOR: A lot other than a corner lot.

LOT LINE, REAR: Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel, parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the zoning administrator shall designate the rear lot line.

LOT LINE, SIDE: Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line; a side lot line separating a lot from a street is a street side lot line.

LOT WIDTH: The horizontal distance between the side yard lines.

MANUFACTURED HOME: A home or other building of new construction which has been assembled fully, or in material part, upon another site, or in a factory, and moved to the site upon which it is to be permanently assembled by truck, timber, dolly or similar conveyance; and which is placed upon a permanent foundation in compliance with the provisions of the HUD code.

MARQUEE: A sign designed and constructed for the purpose of changing the message regularly by movable letters or electronic-means.

MINING: The extraction of valuable minerals or other geological materials from the earth usually from an ore body, vein or (coal) seam. Materials recovered by mining include base metals, precious metals, iron, uranium, coal, diamonds, limestone, oil shale, rock salt and potash. Also to include, drilling, testing, mining related storage facilities whether they be underground or above-ground.

MINING PROCESSING: The refining, smelting, separating, sifting, crushing, or similar processes used to prepare materials gathered during mining for their final intended use.

MOBILE HOME: Means a transportable factory-built housing unit built in accordance with the Federal Manufactured Housing and Safety Standards Act (HUD Code).

MODULAR HOME: A permanent dwelling structure built in prefabricated units, which are assembled and erected on the site, or at another location and brought as a unit to the site; said modular home is classed as a mobile home until it is placed on a permanent foundation and complies with all governing building codes

MOTEL: Any structure or group of structures with more than 5 single sleeping units intended for short-term rental in which the egress is external to each single sleeping unit.

MYLAR: (1) A thin polyester material that when drawn upon can be reproduced on a blue or black line print. (2) The official copy of a subdivision plat.

NONCONFORMING LOT OF RECORD: A lot or parcel that: (a) legally existed as a developable lot before its current land use or zoning designation; (b) has been shown continuously to be an independently existing piece of property since its creation or since enactment of zoning (June 1978) ; (c) has not decreased in size since its creation, except for lot line adjustments, as defined in CLUDMA; and (d) because of one or more subsequent land use ordinance changes does not conform with the dimensional requirements of the zone where the lot is located.

NONCONFORMING SIGN: A sign or sign structure or portion thereof lawfully existing at the time this chapter or amendment thereto became effective, which does not conform to all height, area and yard regulations prescribed in the zone in which it is located, or other regulations of this chapter.

NONCONFORMING USE: A use of land that legally existed before its current land use; regulations has been maintained continuously since the time the land use ordinance regulation governing the land became effective, and because of subsequent zoning changes; does not conform to the regulations that govern the land.

NUISANCE: Anything that is injurious to health, indecent, offensive to the senses, or an

obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. Something (as an act, object, or practice) that invades or interferes with another's rights or interests (as the use or enjoyment of property) by being offensive, annoying, dangerous, obstructive, or unhealthy.

OFFICIAL: Any elected official or their designated deputy of San Juan County or the appointed Administrative Assistant, Building Inspector, Surveyor, Subdivision Administrator, or Planning Administrator of San Juan County.

OIL AND GAS EXPLORATION: Exploration for Hydrocarbon (oil and gas) is the search by petroleum geologists and geophysicists for hydrocarbon deposits beneath the Earth's surface, such as oil and natural gas. Oil and gas exploration are grouped under the science of petroleum geology.

OWNER/BUILDER: An individual who takes the role of a general contractor when building their own home. The State of Utah requires an affidavit on all owner/builder projects.

OWNER OF RECORD: The individual named on a deed that has been recorded at the San Juan County Recorder's Office.

PARKING LOT: An open area, other than a street, used for parking of more than four (4) automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

PARKING SPACE: Space within a building, lot or parking lot for the parking or storage of one (1) vehicle.

PERFORMANCE BOND: A form of collateral, issued by a bonding company, which guarantees a specified amount of money to be paid in the event of failure to perform by a subdivider, or other person.

PERIMETER BOUNDARY: A line around any piece of property such as a parcel, lot, block or subdivision which encloses and separates that piece from adjacent pieces.

PLANNED UNIT DEVELOPMENT (PUD): An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.

PLANNING ADMINISTRATOR: The San Juan County official appointed by the San Juan County Commission duties include overseeing and managing the San Juan County Planning & Building Department, acting as the land use authority for subdivisions, and the implementation, administration and enforcement of the planning and zoning portions of this Title.

PLANNING COMMISSION: A (7) member board appointed by the Board of San Juan County Commissioners. The Planning Commission serves the community by hearing and making a variety of decisions on San Juan County planning and zoning issues that impact the County and its residents. For the purposes of this ordinance, the Planning Commission may be the land use authority.

PLAT, FINAL: Map or chart of a subdivision, PUD, condominium, or other proposed development that has been accurately sited or surveyed and located on the ground so that streets, alleys, blocks, lots, and other divisions thereof can be identified - to be recorded with the County Recorder upon approval by the Board of San Juan County Commissioners.

PLAT, PRELIMINARY: The map or maps of a proposed subdivision, and specified supporting materials prepared in sufficient detail to permit the evaluation of the subdivision prior to final engineering design and survey.

PRIVATE CAMP / RESORT: Land used for recreational purposes such as ATV/off-road vehicle, rock climbing, mountain biking, racing, river raft base camp, swimming, hunting, event venues, or similarly supported commercial recreational uses along with their associated structures and/or complexes.

PRIVATE PARK: An area of land intended for outdoor enjoyment by the general public subject to the legal restrictions placed by the owner, which may have affiliated facilities used for conservation, recreation, assembly, concession, amusement, administration and the like, and which is owned by a private entity or person, or operated in its entirety as a non-commercial use.

PRIMITIVE CAMP: Dispersed camping in remote areas with limited amenities and/or services.

PUBLIC NOTICE: Notice widely disseminated to the public through broadcast media such as newspaper, radio, television, in a conspicuous public place or the internet, in conformance with state law.

PUBLIC PARK: An area of land intended for outdoor enjoyment by the general public; which may have affiliated facilities used for conservation, recreation, assembly, concession, amusement, administration and the like and is owned by a governmental entity, or operated in its entirety as a non-commercial use.

RENEWABLE ENERGY: Energy derived from natural processes that are replenished at a faster rate than they are consumed. Including solar power, wind power, hydroelectricity, geothermal energy, and biomass.

RIGHT-OF-WAY: Legal right to use or cross over the property of another.

ROAD: See Street.

ROAD, COUNTY: A road or highway designated as a County road and maintained by San Juan County.

ROAD, MAINTENANCE AGREEMENT: An agreement between two or more parties that outlines the rights and responsibilities of the parties to construct, maintain, and repair occupant or emergency vehicle access to private parcels.

ROAD, PRIVATE: A road on privately owned property, limited to the use of the owner or a group of owners who share the use and maintain the road without assistance from the County. A private road has not been given to or accepted by the County for public use and maintenance.

RV: "Recreational Vehicle" means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use that is either self-propelled or pulled by another vehicle. This includes: a travel trailer; a camping trailer; a motor home; a fifth wheel trailer; RV; and a van designed for overnight use.

RV PARK: A space occupied by three or more mobile homes or RVs, including park model RVs, being used as recreational or long term.

SEAL: An embossed emblem, figure, symbol, word, letter, etc., used as attestation or evidence of authenticity.

SECTION LINE: The line delineating the boundary of a section of land in the United States Public Land Survey System.

SEWER SYSTEM, PRIVATE: A system that is owned for treatment and disposal of household sewage that is owned by an individual or several individuals and designed to serve the owners property only e.g., septic tank and leach field systems.

SEWER SYSTEM, PUBLIC: An approved sanitary sewer system containing transmission lines and treatment facilities owned and operated by a public entity such as a municipality or special district.

SEXUALLY ORIENTED BUSINESS: As defined in Utah Code §17-50-331.

SHOPPING STRIP: A group or cluster of retail or service-oriented businesses that share a parking lot area with limited ingress and egress to the parking area.

<p>SHORT-TERM RENTAL (STR): Excluding Hospitality Rentals, the renting of any structure for the purpose of overnight</p>	<p>SHORT-TERM RENTAL. A dwelling or a portion of a dwelling that the owner of</p>
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<p>occupancy for, a period of less than 28 days by the renter. Short-term Rentals include vacation rentals, transient rentals, short-term vacation rentals, resort dwelling units, nightly rentals, condominium rentals, glamping, commercial camping, mini-hotel/motel rentals, cabin rentals, trailer/RV rentals, and all other similar uses, variations, and combinations in which a structure is rented as overnight accommodation for a period less than 28 days. An Accessory Building may not be used as a short-term rental.</p>	<p>record or the lessee dwelling or the portion of dwelling leases to another for occupancy for fewer than 30 consecutive days.</p>
<p>Proposed</p>	<p>ADOPTED ORDINANCE 2024-01 Signed (1-16-2024) APENDIX B</p>

SIGN: Means and includes every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, object, device, medium, conveyance or space erected or maintained in view of the observer thereof for identification, advertisement or promotion of the interests of any person, entity, product or service. The definition of "sign" shall also include the sign structure, supports, lighting system and any attachments, ornaments or other features used to draw the attention of observers. This does not include any flag, badge or ensign of any government or governmental agency erected for and used to identify said government or governmental agency.

SIGN, A-FRAME: A temporary and/or movable sign constructed with two (2) sides attached at the top so as to allow the sign to stand in an upright position.

SIGN, ANIMATED: A sign which involves motion or rotation of any part by mechanical or artificial means or displays flashing or intermittent lights, time, temperature and electronic type message center.

SIGN AREA: The area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign areas, only one side of a back-to-back or double faced sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five degrees (45°). In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

SIGN, ELECTRONIC DISPLAY SCREEN: Any sign or portion of a sign that displays an electronic image or video, which may or may not include text. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and holographic displays.

SIGN, FOR SALE: A temporary sign placed on a lot offering that specific property for sale, lease or rent, and limited to twelve (12) square feet in sign area. The on-premises sign may advertise a model home or open house.

SIGN, ILLUMINATED: A sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign proper, or by devices which reflect or project light upon it.

SIGN, LOW-PROFILE: On premises or identification signs having a maximum height of six feet (6'), incorporated into some form of landscape design scheme or planter box.

SIGN, OFF-PREMISES: Advertising sign which directs attention to a use, product, commodity or service not related to the premises.

SIGN, PROJECTING: A sign attached to a building or other structure and extending in whole or in part more than twenty-four inches (24") beyond any wall of the building or structure.

SIGN, PROPERTY: A sign related to the property upon which it is located and offering such property for sale or lease, or advertising contemplated improvements, or announcing the name of the builder, owner, designer or developer of the project, or warning against trespassing.

SIGN, ROOF: A sign erected partly or wholly on or over the roof of a building, including ground supported signs that rest on or overlap a roof twelve inches (12") or more.

SINGLE SLEEPING UNIT: An area, structure, or group of structures that provides room or space for 1 or more persons that cannot be less than 70 square feet and shall not be less than 7 feet in any horizontal dimension and is not more than 1,000 square feet. Each additional 1,000 square feet constitutes a new single sleeping unit regardless of its actual use.

SOLAR PANEL: A component of a photovoltaic system that is made out of a series of photovoltaic cells arranged to generate electricity using sunlight.

STOCK PROOF FENCE: A fence designed to contain or prevent cattle, horses, sheep or other domestic animals from entering or leaving the fenced area.

STORAGE YARD: A place where space is rented for the storage of personal property in

either an open yard or an enclosed building.

STORM WATER DETENTION: The holding of storm water on a particular site through the use of swales or structures that are designed to release the water at a specified rate.

STORY: The space within a building included between the surface of any floor and the surface of the ceiling next above.

STORY, HALF: A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds ($2/3$) of the floor immediately below it.

STREET: Any rights-of-way under public or private ownership for public use designed for the travel of motorized vehicles to enter and exit through passage and to include the ways used for internal circulation of traffic.

STRUCTURE. Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

STRUCTURAL ALTERATIONS. Any change in supporting members of a building or structure, such as bearing walls, columns, beams or girders.

SUBDIVIDE: Any division of an existing parcel of land that results in a Subdivision in accordance with this Ordinance.

SUBDIVIDER: Any person or agent of a person who causes land to be subdivided per the definition of subdivide in this ordinance.

SUBDIVISION, HIGH DENSITY: When a subdivision has ten (10) or more lots within a concentrated area.

SUBDIVISION PHASE(S): Carrying out a subdivision in gradual stages. Subdivision phase(s) may not be a single lot and must be contiguous to other parts of the subdivision.

SUBDIVISION IMPROVEMENT AGREEMENT: A contract between a subdivider or developer and the County which specifies the required public improvements to be constructed in or in support of a subdivision including the estimated costs and the method of guarantee and the collateral, to insure the improvements are constructed.

SUBDIVISION ADMINISTRATOR: The official or employee of San Juan County appointed by the Board of County Commissioners to administer the subdivision requirements of this Ordinance.

For the purposes of this ordinance, the Subdivision Administrator may be the land use authority.

SUBDIVISION, MINOR: The division of four (4) or less fewer lots and are exempted from the platting process, but are subject to specific requirements as outlined in Chapter 7.

SURVEY MONUMENT: An object placed or built to identify a survey reference point, including, but not limited to, property corners, benchmarks, and PLSS corner locations.

SWIMMING POOL: A portable or permanent structure above or below grade, designed to hold water eighteen inches (18") deep or greater and/or two hundred fifty (250) square feet or greater surface area and intended for therapeutic or recreational purposes. This definition does not include an ornamental reflecting pool, fishpond or other type of pool not used for swimming and/or wading, and must be located and designed so as not to create a hazard.

TITLE VIOLATION: Any person, firm or corporation, in the use or occupation of a building, structure or land, intentionally fails to abide by or to fulfill any condition legally imposed under the provisions of this title in approving any permit, site plan or variance, shall be considered to be a violation of the provisions of this title punishable under Chapter 3 Section 14 and Utah State Code; and any structure made or existing or any use of land used or occupied in violation of any condition legally imposed in approving any permit, site plan or variance under the provisions of this title shall be subject to abatement under Chapter 3 Section 14.

TOPOGRAPHICAL CONTOURS: Horizontal lines on a map indicating an elevation above a specified point, usually sea level, and containing intermittent lines in intervals usually of two (2) feet, five (5) feet or other specified intervals.

TRANSIENT: Occupancy of a dwelling unit or sleeping unit for not more than twenty-eight (28) days.

TRUCK STOP/TRAVEL CENTER: A facility or grouping of facilities that dispenses motor fuel, electricity, or other energy sources for truck tractors, commercial motor vehicles (CMV), and similar commercial vehicles or consumer vehicles; and may also provide amenities such as showers, overnight customer parking, restaurants, charging stations, or other traveler conveniences.

USE, ACCESSORY: A subordinate use customarily incidental to and located upon the same lot occupied by a main use.

USE, MAIN: The principal function or use of the land and/or building or structure

VACATE: To abandon or relinquish a right to use a specific piece of land such as a road, right of way, or easement, or 2) to void a subdivision, incorporated area, local entity or portion thereof and return it to pre-subdivided, or incorporated status.

VARIANCE: An authorization by the Administrative Law Judge, acting as the Land Use Appeal Authority pursuant to state law, relative to a specific parcel of land for a modification of a zone's standard height, bulk, area, width, setback, or separation requirement; Variances do not apply to changes of use.

VICINITY MAP: A small scale map shown as an insert on a larger map that indicates the location of a subdivision or other pieces of land in relation to a much larger geographic area.

WATER SYSTEM, PRIVATE: A source of water and the transmission lines owned by one or more persons to serve only their property, i.e.: an individual domestic well.

WATER SYSTEM, PUBLIC: A source of water, including transmission lines and treatment facilities, owned by a public entity such as a municipality or special district to provide water to their residents.

WIND TURBINE: A turbine that is powered by the wind.

YARD: A space on the lot, other than a court, unoccupied and unobstructed from the ground upwards, by buildings, except as otherwise provided herein.

YARD, FRONT: A space extending across the full width of a lot, between the front building line and the front lot line. The depth of the front yard is the minimum distance between the front lot line and the front building line.

YARD, REAR: A space extending across the full width of a lot, between the rear building line and the rear lot line. The depth of the rear yard is the minimum distance between the rear lot and the rear building line.

YARD, SIDE: A space extending along the full depth of a lot, between the side building line and the side lot line. The "width" of the side yard shall be the minimum distance between the side lot line and the side building line.

YURT: A tent-like structure consisting of a wooden base and frame with a canvas outer covering, which may be easily dismantled and moved.