

## CHAPTER 2

## DEFINITIONS AND RULES

## SECTION:

8-2-1: General Rules For Construction Of Language

8-2-2: Time Computation

8-2-3: Definitions !2R!

## 8-2-1: GENERAL RULES FOR CONSTRUCTION OF LANGUAGE:

All words used in the present tense shall include the future tense. All words in the singular number shall include the plural number and all words in the plural number shall include the singular number. The word structure includes the word building, the word "shall" is mandatory and not directory and the word "may" is permissive.

## 8-2-2: TIME COMPUTATION:

In computing any period of time prescribed or allowed by this title, the day of the act, event or decision after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day, which is neither a Saturday, Sunday or a holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday. The date of a decision or recommendation of the planning commission shall be the date the hearing or such decision or recommendation is made. If no hearing is held on the matter, the date of the decision or recommendation shall be the date written notice of such decision or recommendation is mailed to the applicant.

## 8-2-3: DEFINITIONS:

For the purpose of this title, certain words are hereby defined:

!DEF! ACCESSORY BUILDING: A detached, subordinate building, use of which is appropriate, subordinate and customarily incidental to that of the main building or to the main use of the land and which is located on the same lot or parcel of land with the main building or use. "Accessory building" includes any "storage container", as defined in this section. Occupation is prohibited.

AGRICULTURE: The tilling of the soil, the raising or grazing of livestock and raising of crops, horticulture and gardening, including the keeping or raising of domestic animals, fowl, bees or insects.

APARTMENT HOUSE: A multiple dwelling where two (2) or more resident units share a wall, ceiling or floor. See definition of Dwelling, Multi-Family.

AUTOMOBILE GRAVEYARD: Any establishment or place of business which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.

BASEMENT: That portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is more than the vertical distance from grade to ceiling.

BED AND BREAKFAST INN: An operator occupied dwelling unit where short term lodging rooms and meals are provided for compensation on a small scale.

BOARDING HOUSE: A building containing rooms in which meals are provided for compensation to more than two (2) persons but which does not include provision for cooking in any guestroom.

BUILDING: A structure having a roof supported by columns or walls for housing, shelter or enclosure of persons, animals, chattels or property of any kind.

BUILDING, AGRICULTURAL: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation, or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

BUILDING INSPECTOR: An official or other person licensed through the state and charged with the enforcement of county ordinances and state building codes.

BUILDING PERMIT: Written permission issued by the county building inspector for the construction, repair, alteration or addition to a structure.

BUILDING, RESIDENTIAL: Any one- and two-family dwelling or portion

thereof, including townhouses, that is used, or designed or intended to be used, for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof, and shall include accessory structures thereto.

**BUILDING SETBACK LINE:** The horizontal distance line which is generally parallel to the related front, rear or side lot line. The building setback line cannot encroach upon the required minimum yard dimensions for principally permitted and accessory uses or structures.

**CAMPING:** A temporary establishment of living facilities, such as tents or recreational vehicles, for a period of sixteen (16) days or less.

**CLUSTER SUBDIVISION:** A form of development that permits a reduction in lot area requirements, provided there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active or passive recreation, preservation of environmentally sensitive areas, or agriculture.

**CONDITIONAL USE:** A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. Such use of land requires a conditional use permit pursuant to chapter 11 of this title.

**CONDITIONAL USE PERMIT:** The legal authorization to undertake a conditional use, issued by the planning commission, pursuant to authorization by the land use authority, consisting of two (2) parts:

- A. A statement of the factual determination by the land use authority which justifies the issuance of the permit; and
- B. A statement of specific conditions which must be met in order for the use to be allowed.

**CONTIGUOUS:** Touching between two (2) districts or areas of land which abut one another.

**COUNTY:** The unincorporated area of Daggett County.

**DENSITY:** The number of persons or dwelling units per acre of gross area.

DESIGN, SUBDIVISION: The alignment, grade and width for easements and rights of way for utilities; the final grade or contouring and general layout of lots and streets within the area; location of land to be dedicated for park or recreational purposes; and, such specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to ensure conformity to or implementation of applicable general or specific plans.

DEVELOPMENT: The act, process or result of erecting, placing, constructing, remodeling, converting, altering, relocating or demolishing any structure or improvement to property, including grading, clearing, grubbing, mining, excavating or filling of such property.

DRIVE-IN REFRESHMENT STAND: A place of business where food and drink are sold primarily for consumption on the premises outside the structure.

DWELLING: A permanent building or portion thereof designed for or used as the living quarters for one family, intended or designed to be built, used, rented, leased, let or hired out, to be occupied for living purposes. "Dwelling" does not include a tent, recreational vehicle, hotel, motel, tourist cabin, boarding house, hospital or nursing home.

DWELLING, FOUR-FAMILY: See definition of Dwelling, Multi-Family.

DWELLING, MULTI-FAMILY: A building or structure occupied as or designed or intended for occupancy as a residence for more than one family and containing two (2) or more separate dwelling units, which may be separated vertically or horizontally, but not including commercial lodging or bed and breakfast inns. Each dwelling unit shall have a minimum living quarters area of eight hundred (800) square feet and the structure must be a minimum of forty feet (40') wide, facing the street, and twenty feet (20') deep. The minimum rental period for a multi-family dwelling shall be thirty (30) days.

DWELLING, OVERNIGHT RENTAL: Rental of any property within residential zoning districts shall not be permitted for periods of less than thirty (30) days. Rental of dwellings within other areas is permitted or conditional as outlined in the table of uses.

DWELLING, SINGLE-FAMILY: A building or structure occupied as or designed or intended for occupancy as a residence for one family, the structure having one dwelling unit. (See also Utah Code Annotated section 57-21-2.) Each single-family dwelling (except in agriculture and multiple use zones) shall have a minimum of eight hundred (800) square feet and shall be a minimum twenty feet (20') on all sides,

not including nondwelling space. The minimum rental permitted shall be thirty (30) days.

DWELLING, TWO-FAMILY: See definition of Dwelling, Multi-Family.

DWELLING UNIT: One or more rooms in a dwelling, apartment, hotel or apartment motel, designed for or occupied by one family for living or sleeping purposes and having one but not more than one kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units, and having its own sanitary facilities.

EASEMENT: A nonpossessory interest in that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner of the property. The easement may be for use under, on or above the lot or lots. A vested or acquired right to use land, other than as a tenant, for a specific purpose; such right being held by someone other than the owner who holds title to the land.

ESSENTIAL SERVICES: Services provided by public or private utilities, including underground, surface or overhead gas, electrical, steam, water, sanitary sewer, stormwater drainage and communication systems and accessories, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations and hydrants, but not including buildings used or intended to be used for human habitation.

FACADE: The entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another, but does not include any structural or nonstructural elements which extend beyond the roof of a building.

FAMILY: One or more persons occupying a dwelling unit, and living as a single housekeeping unit, as distinguished from a group occupying a "boarding house", lodging house or "hotel", as herein defined.

FARM: An area of no less than twenty (20) contiguous acres which is used for the commercial production of farm crops, such as vegetables, fruit trees, hay, grain and other crops, and their storage on the area, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep and swine for commercial purposes. The term "farm" includes the operating of such an area for one or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce; provided, that the operation of any such accessory uses is secondary to that of farm activities; and provided further, that the farm activities do not

include commercial pen feeding or commercial feed lots, or the commercial feeding of garbage or offal to swine or other animals.

**FRONTAGE:** All property fronting on one 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.

**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.

**GAS CORPORATION:** The same meaning as defined in Utah Code Annotated section 54-2-1, as amended.

**GUEST:** A transient person who rents or occupies a room for sleeping purposes.

**GUEST RANCH:** A building or group of buildings containing two (2) or more guestrooms, other than a boarding house, hotel or motel, and including outdoor recreational facilities, such as, but not limited to, horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended for the use primarily by guests of the guest ranch, but not including bars and restaurants which cater primarily to other than guests of the guest ranch.

**GUESTHOUSE:** A separate dwelling structure located on a lot with one or more main dwelling structures and used for housing of guests or servants and not rented, leased or sold separate from the rental, lease or sale of the main dwelling.

**GUESTROOM:** A room which is designed for occupancy by one or more guests for sleeping purposes, but having no cooking facilities and not including dormitories.

**HOME OCCUPATION:** Any occupation or profession customarily conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof and in connection with which there are no employees, other than a member of the immediate family residing in the dwelling unit, and not mechanical equipment, except for that which is customarily used for domestic, hobby or household purposes. "Home occupation" includes the use of a dwelling unit by physician, surgeon, dentist, lawyer,

clergyman or other professional person for consultation or emergency treatment. "Home occupation" may also include the dwelling for the curing and packaging of meat products. "Home occupation" may also include a clinic, hospital, barbershop, beauty parlor, animal hospital, advertising or public relations agency, interior decorator's office or workshop, real estate or insurance office, stockbroker's office or similar use. "Home occupation" shall include the care of not more than six (6) children, other than members of the family residing in the dwelling. Parking for a home occupation shall be limited to the following: a) one car for each twenty five feet (25') of unobstructed and unrestricted frontage of the subject property; and b) available parking on the subject property where automobiles are customarily parked.

**HOTEL:** A building in which lodging or boarding and lodging are provided for more than twenty (20) persons and offered to the public for compensation and in which ingress and egress to and from all guestrooms are made through an inside lobby or office.

**INTERSTATE PIPELINE COMPANY:** A person or entity engaged in natural gas transportation subject to the jurisdiction of the federal energy regulatory commission under the natural gas act, 15 USC section 717 et seq.

**INTRASTATE PIPELINE COMPANY:** A person or entity engaged in natural gas transportation that is not subject to the jurisdiction of the federal energy regulatory commission under the natural gas act, 15 USC section 717 et seq.

**JUNK:** Any old or scrap copper, brass, rope, rags, batteries, paper, trash, wood and rubber debris, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material.

**JUNKYARD:** The use of any lot, portion of a lot or tract of land for the storage, keeping or abandonment of junk, including scrap metal or other scrap material, or for the dismantling, demolition or abandonment of automobiles or other vehicles, or machinery or parts thereof; provided, that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the zone.

**LEGISLATIVE BODY:** The Daggett County board of county commissioners.

**LOT:** A parcel of land occupied or to be occupied by a building or group of buildings, together with such yards, open spaces, lot width and lot areas as are required by this title, having frontage upon a street or upon a right of way approved by the planning commission,

or upon a right of way not less than sixteen feet (16') wide. Except for group dwellings and guesthouses, not more than one dwelling structure shall occupy any one lot.

**LOT AREA:** The total area of the horizontal plane bounded by the front, side and rear lot lines, but not including any area occupied by rights of way or the waters of any lake or river.

**LOT, CORNER:** A lot situated at the intersection of two (2) streets or on a curved street where the interior angle of such intersection or curved street does not exceed one hundred thirty five degrees (135°).

**LOT COVERAGE:** The percentage of the area of a lot which is occupied by all buildings or other covered structures.

**LOT DEPTH:** For lots having front and rear lot lines which are parallel, the shortest horizontal distance between such lines; for lots having front and rear lot lines which are not parallel, the shortest horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel with and at a maximum distance from the front lot line, having a length of not less than ten feet (10').

**LOT, DOUBLE FRONTING:** A lot, other than a corner lot, that has frontage on more than one street.

**LOT, INTERIOR:** A lot other than a corner lot with frontage on a public right of way.

**LOT LINE:** Any line bounding a lot.

**LOT LINE ADJUSTMENT:** The relocation of the property boundary line between two (2) adjoining lots with the consent of the owners of record.

**LOT LINE, FRONT:** The common boundary line of a street and a street right of way line towards which principal or usual entrance to the main building faces.

**LOT LINE, REAR:** The boundary line of a lot which is most nearly opposite the front lot line of such lot, in case of a triangular or wedge shaped lot. In case of a corner lot, providing that all requirements for yard space are complied with, the owner may choose either side not abutting a street as the rear lot line, even though it is not opposite the front lot line. Once the choice has been made,

it cannot be changed unless all requirements for yard space can be complied with.

**LOT OF RECORD:** A lot which is part of a subdivision, the plat of which has been recorded in the office of the county recorder of Daggett County, or a lot, parcel or tract of land, the deed of which has been recorded in the office of the county recorder of Daggett County.

**LOT WIDTH:** The width of the lot as measured along the building front setback line required in the zone.

**MANUFACTURED HOME:** A transportable factory build housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems, and is attached to an approved permanent foundation system that is installed around the exterior of the manufactured home which, when completed, attaches the home to the ground in accordance with plans providing for vertical loads, uplift, lateral forces and frost protection. The surface of nonconcrete foundation applications shall be finished in a manner to appear as masonry or concrete. All manufactured homes shall have a data plate attached to the interior of the home and a HUD label attached to the exterior of the home. Manufactured homes meeting this definition may be placed in any residential zone.

**METES AND BOUNDS:** A method of describing the boundaries of land by direction (bounds) and distances (metes) from a known point of reference.

**MOBILE HOME:** A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code), and, except as outlined in chapter 12 of this title, and are only allowed in legally licensed mobile home parks or mobile home subdivisions after complying with the requirements ANSI 225.1.

**MOBILE HOME PARK:** Any tract of land on which two (2) or more mobile home spaces are leased, or offered for lease or rent, to accommodate mobile homes for residential purposes.

**MOBILE HOME SPACE:** A specific area of land within a mobile home park designed to accommodate one mobile home.

MOTEL: A building or group of buildings containing guestrooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used or intended wholly or in part for the accommodation of automobile transients. "Motel" includes motor courts, motor lodges and tourist courts, but not mobile home parks or recreational vehicle parks.

MUNICIPALITY: An incorporated city or town.

NONCOMPLYING STRUCTURE: A structure that:

- A. Legally existed before its current land use designation; and
- B. Because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions or other regulations, excluding those regulations that govern the use of land.

NONCONFORMING USE: A use of land that:

- A. Legally existed before its current land use designation;
- B. Has been maintained continuously since the time the land use ordinance regulation governing the land changed; and
- C. Because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

OFFICIAL MAP: The same meaning as provided in Utah Code Annotated section 72-5-401, as amended.

OWNER: The holder of fee title to land or buildings or to property, whether a person, partnership, corporation or other entity recognized by law, including any lessee, permittee, assignee or successor in interest.

PARKING SPACE: The space required to park one passenger vehicle off the public right of way.

PERMANENT HUMAN HABITATION: The use of a constructed or preconstructed dwelling, or any vehicle, RV, trailer or tent in excess of fifteen (15) days for living quarters.

PERSON: An individual, corporation, partnership, organization, association, trust, governmental agency or any other legal entity.

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 COMMISSION: The county planning commission of Daggett County.

PLAT: A map or other graphical representation of lands being laid out and prepared in accordance with Utah Code Annotated section 17-27a-603 et seq., as amended.

PLAT, FINAL: A map of all or a portion of a subdivision that is presented to the Daggett County board of county commissioners for final approval.

PLAT, PRELIMINARY: A map indicating the proposed layout of the subdivision that is submitted to the Daggett County planning commission for recommendation and to the Daggett County board of county commissioners for preliminary approval.

QUASI-PUBLIC USE OR QUASI-PUBLIC FACILITY: A use conducted by, or a facility or structure owned by, a nonprofit, religious or eleemosynary institution that provides educational, cultural, recreational, religious, institutional, medical, community service or other similar types of public services, and includes private hospitals, medical offices and cemeteries.

RECORD OF SURVEY MAP: A map of a survey of land prepared in accordance with Utah Code Annotated section 17-23-17, as amended.

RECREATIONAL VEHICLE (RV): A. 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, which may legally travel upon state highways without special permits.

B. "Recreational vehicle" includes:

1. A travel trailer;
2. A camping trailer;
3. A motor home;

4. A fifth wheel trailer; and

5. A van.

RECREATIONAL VEHICLE PARK: Any parcel of land accommodating two (2) or more recreational vehicles, campers or RV units for dwelling or sleeping purposes, for which a charge is made for those accommodations.

RECREATIONAL VEHICLE SPACE: A plot of ground within a mobile home park or recreational vehicle park designed for the accommodation of one recreational vehicle, together with its accessory structures, including carports or other off street parking areas, storage lockers, armadas, cabanas, patios, patio covers, awnings and similar appurtenances.

RESTAURANT: A place of business where a variety of food is prepared and cooked and complete meals are served to the general public for consumption on the premises, primarily in indoor dining accommodations.

RIGHT-OF-WAY: The area, either public or private, over which the right of passage exists.

SERVICE STATION: A building or use devoted to the retail sale of fuels, lubricants and other supplies for motor vehicles, including minor repair activities which are subordinate to the sale of petroleum products.

SITE PLAN: A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing buildings or structures, and those yet to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the planning commission, zoning administrator or this code.

SKETCH PLAN: A concept, informal map of the proposed subdivision of sufficient accuracy to be used for the purpose of discussion and classification.

SPECIAL DISTRICT: All entities established under the authority of Utah Code Annotated title 17B, local districts, and any other governmental or quasi-governmental entity that is not a county, municipality, school district or unit of the state.

SPOT ZONE: A zoning amendment which singles out a relatively small parcel for a use classification totally different from that of the

surrounding area, for the benefit of the owner of such property or which is invalid because it is not in accordance with the general plan.

**STORAGE CONTAINER:** Any enclosed container having one hundred twenty (120) square feet of floor space or larger. A "storage container" includes any and all enclosed storage containers, cargo containers, shipping crates, boxes, trailers or similar moveable pieces of equipment or objects.

**STORY:** The space within a building, other than a cellar, included between the surface of any floor and the surface of the ceiling next above.

**STREET:** A public right of way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement or other way.

**STRUCTURE:** That which is built or constructed.

**SUBDIVISION:** A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development, either on the installment plan or upon any and all other plans, terms and conditions.

B. "Subdivision" includes:

1. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and
2. Except as provided in subsection C of this definition, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

C. "Subdivision" does not include:

1. (i) A bona fide division or partition of agricultural land for agricultural purposes;
2. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
  - a. No new lot is created; and

- b. The adjustment does not violate applicable land use ordinances;
  - 3. A recorded document, executed by the owner of record:
    - a. Revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or
    - b. Joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances;
  - 4. A bona fide division or partition of land in a county, other than a first class county, for the purpose of siting, on one or more of the resulting separate parcels:
    - a. An electrical transmission line or a substation;
    - b. A natural gas pipeline or a regulation station; or
    - c. An unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility;
  - 5. A recorded agreement between owners of adjoining subdivided properties adjusting their mutual boundary if:
    - a. No new dwelling lot or housing unit will result from the adjustment; and
    - b. The adjustment will not violate any applicable land use ordinance;
  - 6. A bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels; or
  - 7. A parcel boundary adjustment.
- D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under this definition as

to the unsubdivided parcel of property or subject the unsubdivided parcel to the county's subdivision ordinance.

**SUBDIVISION AMENDMENT:** The process of amending or changing in any way a recorded subdivision plat.

**SUBDIVISION VACATION:** The process of removing from record a section of land that was subdivided.

**TENSION MEMBRANE STRUCTURES:** Structures consisting of a metal or other frame covered by an architectural membrane, or guy ropes and stakes, that are placed under high tension or carries loads primarily through tensile stresses. "Tension membrane structures" include structures known or commonly referred to as architectural membrane structures, tensioned membrane structures, stressed membrane structures, frame supported tension structures, tensioned fabric structures, and all other similar structures such as a yurt, tent or hoop garage. The definition of "tension membrane structure" does not include open air canopies, such as freestanding awnings, shade structures, shade gazebos and walkway covers.

**UNIFORM BUILDING CODE:** The current edition of the building code as adopted by the state of Utah.

**UNINCORPORATED:** The area outside of the incorporated boundaries of cities and towns.

**USE:** The specific purposes for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

**USE, ACCESSORY:** A subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted exclusively to the main use of the premises.

**USE, PERMITTED:** Any use lawfully occupying land or buildings, as authorized in the zone regulations and for which no conditional use permit is required.

**VACATION PLAT:** A plat submitted for the purpose of removing a subdivision from the records of the county recorder and the county assessor which shows the area that is to return to its original state.

**VARIANCE:** A waiver of specific regulations of this title granted by the board of adjustment, in accordance with the provisions set forth in this title, for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of

privileges commonly enjoyed by other properties in the same zone.

**YARD:** An open, unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the lot on which a building is situated.

**YARD, FRONT:** An open space on the same lot with a building between the front line of the building (exclusive of steps) and the front lot line and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building. On corner lots, the front yard is the yard in front of the front or main entrance.

**YARD, REAR:** An open, unoccupied space on the same lot with a building between the rear line of the building (exclusive of steps) and the rear lot line and extending from the full width of the lot. The rear yard is found on the opposite side of the building from the front yard.

**YARD, SIDE:** An open, unoccupied space on the same lot with a building between the side line of the building (exclusive of steps) and the side lot line and extending from the front yard to the rear yard.

**ZONING DISTRICT:** A geographical area of the county, established as a zoning district by this title, within which the zoning regulations and requirements are uniform. !DEFEND!