

#### PLANNING COMMISSION MEETING

117 South Main Street, Monticello, UT 84535. Conference Room, and Virtually April 15, 2021 at 7:00 PM

## **AGENDA**

#### Google Meet joining info

Video call link: https://meet.google.com/oax-dunv-sry

Or dial: (US) +1 415-841-2460 PIN: 121 304 023#

More phone numbers: https://tel.meet/oax-dunv-sry?pin=4575342609466

#### Welcome / Roll Call

#### **Approval of Minutes**

1. Approval of Minutes for March 11, 2021 PC Meeting ACTION

**PUBLIC COMMENT -** Time reserved for public comment on items or issues not listed on the agenda.

#### **ADMINISTRATIVE ITEMS**

- 2. Amendment II, Lot 38, San Juan Estates, Phase III, Lucas Blake, Red Desert Land Surveying ACTION
- 3. Mt Peale Estates, Lot 2 Amended, Lucas Blake, Red Desert Land Surveying ACTION
- 4. Area BFE Conditional Use, Scott Burton, Subdivision Administrator ACTION

#### **LEGISLATIVE ITEMS**

5. Definitions DISCUSSION

## **BUILDING PERMIT(S) REVIEW**

<u>6.</u> Presentation of Building Permit List

#### **ADJOURNMENT**

<sup>\*\*</sup>In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the San Juan County Clerk's Office: 117 South Main, Monticello or telephone 435-587-3223, giving reasonable notice\*\*



## PLANNING COMMISSION MEETING

117 South Main Street, Monticello, UT 84535. Conference Room, and Virtually March 11, 2021 at 7:00 PM

## **MINUTES**

#### **GENERAL BUSINESS**

#### Welcome / Roll Call

Commission Chair Trent Schafer called the meeting to order at 7:01 pm

#### **PRESENT**

Chairman Trent Schafer Commissioner Lloyd Wilson Commissioner William Johnston Commissioner Melvin Nelson Commissioner Cody Nielson

#### ATTENDED REMOTELY

Commissioner Cole Cloward Commissioner Leah Shrenk (logged in during item 4)

#### **Approval of Minutes**

#### 1. Approval of Minutes for February 11, 2021 PC Meeting ACTION

Motion to approve the minutes was made by Commissioner Wilson, Seconded by Commissioner Nelson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson.

**PUBLIC COMMENT** - Time reserved for public comment on items or issues not listed on the agenda.

Time Stamp 2:56 (audio)

**Carolyn Daily-** Carolyn expressed appreciation to Commissioners Wilson and Cloward for the meeting that was held in Spanish Valley. Commission Chair Schafer also expressed gratitude for them being willing to hold the meeting.

#### **ADMINISTRATIVE ITEMS**

#### 2. Flat Iron Mesa Ranch Phase XXVI, Lucas Blake, Red Desert Land Surveying

Time Stamp 4:52 (Audio)

The developer Michael Dervage presented both phase 26 and 27 to the commission

Motion to approve the subdivision was made by Commissioner Nelson, Seconded by Commissioner Johnston.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson.

#### 3. Flat Iron Mesa Ranch Phase XXVII, Lucas Blake, Red Desert Land Surveying

Motion to approve the subdivision was made by Commissioner Cloward, Seconded by Commissioner Nelson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson.

## 4. Area BFE Permitted Uses Discussion, Mack McDonald, Chief Administrative Officer

Time Stamp 11:57 (Audio)

San Juan County Administrator Mack McDonald presented the information he had gathered about the history of Area BFE in response to complaints by a nearby property owner about excessive dust and noise caused by the events at Area BFE. Mack explained that in 2005 the owners of Area BFE requested a change to chapter 11 of the zoning ordinance to allow them to hold events on the property. This request resulted in a change to the zoning to allow these types of events. Mack explained further that the zoning changed again in 2011 and made these uses a conditional use, which makes Area BFE a permitted non-conforming use and that use has continued since 2005 when the zoning allowed it.

A lengthy discussion followed about legal nonconforming use including input from county residents Lynda Smirz, Colby Smith, and Carolyn Daily expressing concern about the increase of use at Area BFE and the collection of fees for profit. Planning Commissioners Schafer, Wilson, and Nielson also expressed support for property rights and the legal nonconforming use.

## 5. Short Term Rental Staff Update DISCUSSION

Time Stamp 53:43 (audio)

San Juan County Subdivision Administrator Scott Burton explained the need for an interpretation to whether the Spanish Valley Residential District Ordinance allowed nightly rentals as a permitted use or not. Deputy County Attorney Alex Goble explained the Attorney's Office's determination that nightly rentals are not permitted, and any that

were in existence before December 2019 would need to see status as a legal non-conforming use.

A lengthy multi-faceted discussion followed about legal non-conforming use related to nightly rentals in the Spanish Valley Residential District including comments from several developers and citizens expressing opinions on both sides of the issue.

#### LEGISLATIVE ITEMS

# 6. Application for Spanish Valley Overnight Accommodations Overlay (Rezone), Josh Anderson, The Domes of Moab DISCUSSION

Time Stamp 2:03:15 (audio)

Josh Anderson previously made application for the Overnight Accommodations Overlay, which was approved by the PC and the Board of County Commissioners, and is now working on the next step to attach the overlay to a specific property and project. This will require more specificity than has been provided. He will come back with a more detailed plan with a scaled site plan showing drainages, and locations of each camping location relative to bathrooms, and showing compliance with all the requirements in the Overnight Accommodations Overlay.

## 7. Subdivision Plat Requirements DISCUSSION

Time Stamp 2:22:08 (audio)

To follow-up from a previous request from the PC about the need for Road Department approval on subdivision plats, information was provided about the current requirements for the final plat in the Subdivision Ordinance. PC commissioners felt the ordinance allowed for San Juan County Road Department signature block to be added on the final subdivision plats.

# 8. Revisions to the Spanish Valley Highway Commercial District (HC) Ordinance DISCUSSION

Time Stamp 2:26:28 (audio)

Commissioners were presented with a redlined copy of the Spanish Valley Highway Commercial District Ordinance. These changes primarily came from Commissioner Lloyd Wilson. Commissioners discussed their desire to incorporate some aspects of the Overnight Accommodations Overlay into the Ordinance instead of having a separate overlay.

**Andrea Wilson-** Andrea stated that the basis of these changes came from the public comments received from residents of Spanish Valley at the meeting Commissioner Wilson held in Spanish Valley on February 24, 2021.

**Andrew Austin-** Andrew expressed concern about removing the Overnight Accommodations Overlay from applying to the PC Zone.

Commissioner Wilson pointed out that the Overnight Accommodations Overlay stated that it can be sought for only in the Highway Commercial District.

Deputy County Attorney Alex Goble stated that this is one of the discrepancies in the ordinances that needs to be cleared up. Alex continued to clarify that the PC Zone requires a legislative process and the question of overnight rentals would be answered during that legislative process when they are going through the community structure plan in the PC Zone.

**Carolyn Dailey-** Carolyn expressed concern about allowing overnight accommodations of 30 units or less in the Highway Commercial Zone as a permitted use.

Some discussion followed between Commissioners Wilson and Cloward and Ms. Dailey about the acceptable number of overnight accommodation units to be considered as a permitted use.

Deputy County Attorney Alex Goble noted that the 2011 zoning ordinance does have a definition for a hotel/motel, so if the Spanish Valley ordinances will have a different definition then there needs to be language clarifying which definition applies only in Spanish Valley excluding the Spanish Valley area from the requirements of the other definition in the 2011 ordinance.

**Holly Sloan-** Holly expressed support for a lower room number than 30 units, she also asked about lowering the 40,000 square threshold for requiring a conditional use permit. She also expressed her desire that truck stops only be allowed south of Ken's Lake Cut-off Rd.

Commissioner Wilson stated the concern that although there are several people that are vocal in the meetings, there are a much larger number of people that express opinions to him outside of the meetings, so he said he is "trying to accommodate the whole valley, not just a few select groups." Some want hotels and motels, and some don't want any hotels or motels.

**Colby Smith-** Colby expressed support for the process and that these numbers will evolve as the public and the commissioners get more information and work through the details.

**Ty Shumway-** Ty expressed his desire to provide places for people to stay, so they can experience the beauty of the Moab area.

Andrew Austin- Andrew noted that we need to define the word unit.

Commission Chair Schafer asked members of the pubic to email any additional comments to the commissioners so they can craft this into an ordinance that they can forward onto the Board of County Commissioners for approval.

#### **BUILDING PERMIT(S) REVIEW**

9. Building Permit List

Time Stamp 2:58:49

The building permit list was presented to the PC

#### **ADJOURNMENT**

Time Stamp 2:59:16 (audio)

Motion to adjourn was made at 10:01 pm by Commissioner Wilson, Seconded by Commissioner Nelson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk





**MEETING DATE:** April 15, 2021

ITEM TITLE, PRESENTER: Amendment II, Lot 38, San Juan Estates, Phase III, Lucas Blake, Red

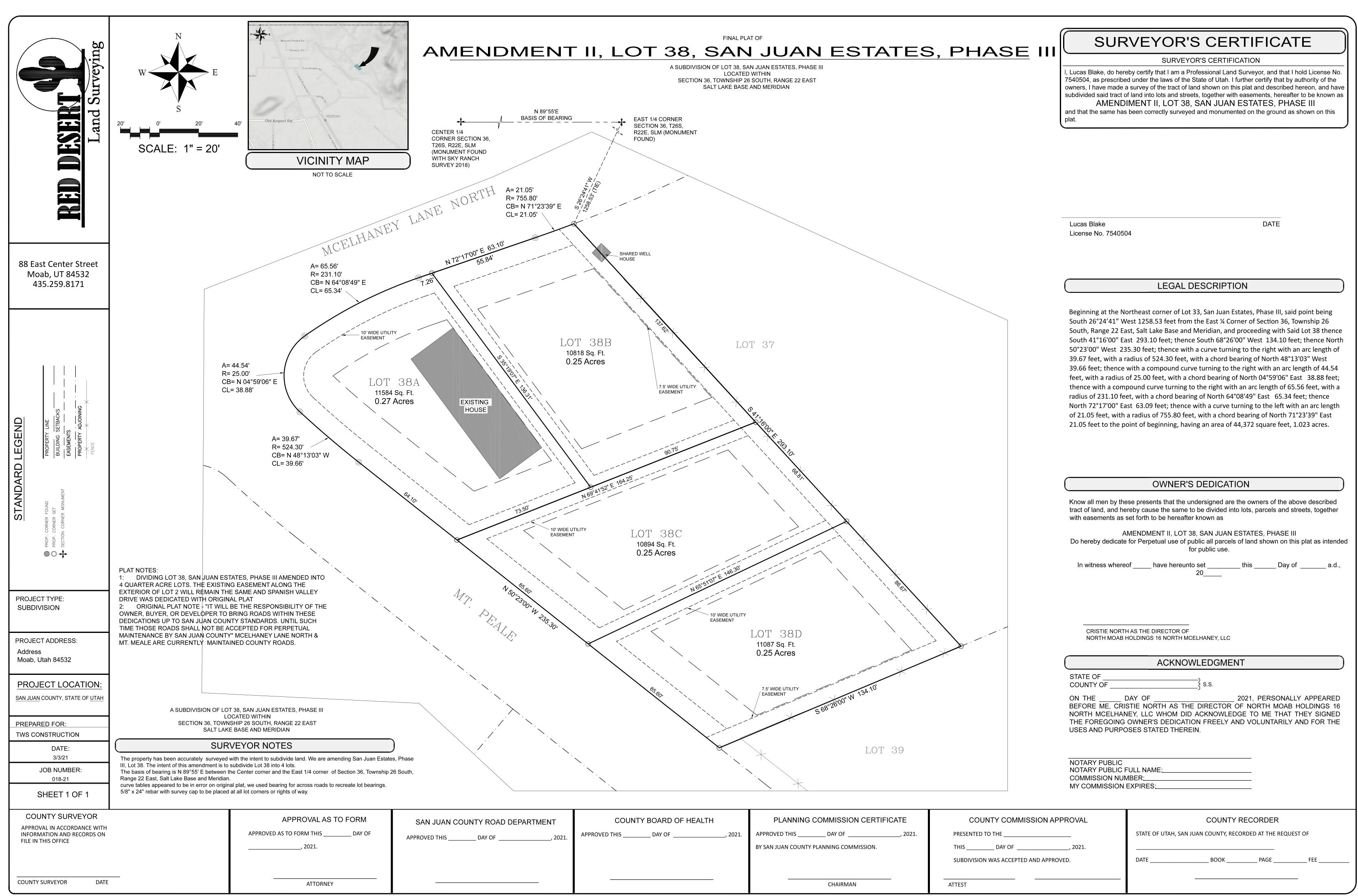
**Desert Land Surveying** 

**RECOMMENDATION:** Consideration

#### **SUMMARY**

San Juan Estates Phase 3 was approved in 2002, and was amended in 2006. Lot 24 was amended in 2018, and lot 33 was amended twice in 2020. This proposed amendment would split an acre lot into four quarter acre lots.

Notice has been sent to all the property owners in phase 3 of this subdivision. The comments received are attached to the information packet.









## lot 38 san juan estates

1 message

Tue, Apr 13, 2021 at 3:22 AM

first i want to thank you for letting me say yea or nay on the proposed subdivision of lot 38. my vote on this matter is a strong no! i moved all the way out here to put a little distance between my home and the neighbors homes.i moved out here in 2003. 4 houses were here at that time, soon all the lots had a single family dwelling on them. as was the agreement between buyers and sellers! fast forward to now 2021. east mount peale drive is just as busy as any street in moab! its not a nice quite place anymore.if i wanted people, almost with in spitting distance i would have stayed in the trailor court in moab! i live on lot 39, i was told that it was the last lot to be sold on mt peale. that was a lie! harold the man who bought the lot on the south side of mine has built two houses and is almost done with a third house. the first two are nightly rentals so im betting the third will be a rental also. some of the people who rent his houses are respectful of the people who live here, the others have no respect for the people or the land. most bring off road machines that are loud and fast, they race up and down the road [mt peale dr ] they then head out to our desert where they forget how to read.going anywhere their land destroying machine will take them.they are here and gone leaving us who stay the cost. why didnt i get to say yea or nay when harold subdivided his acre? four houses on an acre can also be a fire hazard. i say no to proposition 38! thank you ken marsing. p.s. if you do let 38 be subdivided, then let me divide mine so i can sell out and leave utah.



#### Proposed Amendment to San Juan Estates Phase 3, Lot 30

1 message

**Rick Lemus** <ricklemus1968@gmail.com> To: sburton@sanjuancounty.org

Mon, Apr 5, 2021 at 7:34 PM

Hello again,

Before I start off with my objection, I want to ask if this has already been approved and we are being notified after the fact, like we were with the property at the end of North McElhaney?

This property was vacant for several years, and a couple of years ago, the single structure was converted into two long term rentals. The tenants were considerate, and became part of the neighborhood. I noticed about a month or so ago, that the tenants moved out, and construction workers showed up. I thought that they were just converting the property back to a single family dwelling. It was when they started grading and filling the front of the property that I started wondering what was going on. Now I know. They are filling the front of the property to make a parking area for the house, since the current parking area will be on different lots, if the amendment is approved.

So the slippery slope started with the property on North McElhaney is starting to slide more. That single lot was divided into six lots. This one is "only" asking to be divided into four, but my same complaints regarding the other lot apply here.

Housing of that density is out of character with the rest of the neighborhood. The majority, at least for the present time, of homes here are owner occupied. I sincerely doubt that the structures built on these lots are going to be owner occupied, but instead are going to be turned into overnight rentals, like the property at the end of North McElhaney. I wonder if these are also going to be stickbuilt houses rented only to higher end clientele that will raise the property values of the area, like the houses on North McElhaney are supposed to do. (Yes, I listened to that council meeting and had to laugh at that statement by the developer.) The majority of the people renting properties around here are large groups with lots of toys who tend to make a lot of noise that no one can do anything about since we are in the middle of nowhere and not on the radar of the powers that be in Monticello, except of course for the tax revenue that we generate.

Anyway, that's my two cents worth, for all the good that it's going to do. The developers get their way, and the people who live here get screwed. We might as well live in Grand County or Moab when it comes to that.

Sincerely,

Rick Lemus



**MEETING DATE:** April 15, 2021

ITEM TITLE, PRESENTER: Mt Peale Estates, Lot 2 Amended, Lucas Blake, Red Desert Land

Surveying

**RECOMMENDATION:** Consideration

#### **SUMMARY**

Mount Peale Estates Subdivision was created in 2004 with eleven lots. The original lots are all over 1 acre in size. The subdivision is located in Spanish Valley and is in the Spanish Valley Residential District (SVR). This subdivision amendment is proposing to amend lot 2 into four (4) lots. Each of the proposed new lots is a quarter of an acre in size.

Notice has been sent to all the property owners in this subdivision. One property owner expressed their opposition to this amendment. Those comments are attached to the information packet.

#### SURVEYOR'S CERTIFICATE FINAL PLAT OF MT. PEALE ESTATES, LOT 2 AMENDED SURVEYOR'S CERTIFICATION A SUBDIVISION OF LOT 2, MT. PEALE ESTATES, LOCATED WITHIN I, Lucas Blake, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. SECTION 36, TOWNSHIP 26 SOUTH, RANGE 22 EAST 7540504, as prescribed under the laws of the State of Utah. I further certify that by authority of the SALT LAKE BASE AND MERIDIAN owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as MT. PEALE ESTATES, LOT 2 AMENDED ESER and that the same has been correctly surveyed and monumented on the ground as shown on this SCALE: 1" = 20' **VICINITY MAP** NOT TO SCALE NW CORNER SW1/4NW1/4 SECTION 36, REI USH VALLEY DRIVE LOT 1 T26S, R22E, SLB&M (FND COUNTY SURVEY MON. 2019) Lucas Blake DATE 15' WIDE EXISTING UTILITY License No. 7540504 7.5' WIDE /EXISTING UTILITY 88 East Center Street EASEMENT Moab, UT 84532 435.259.8171 LEGAL DESCRIPTION Beginning at the southwest corner of Lot 2, Mt. Peale Estates, said point being North 32°08'42" East 550.72 feet from the West Quarter of Section 36, Township 26 South, Range PRIVATE ACCESS & PUBLIC UTILITY EASEMENT LOT 2B 22 East, Salt Lake Base and Meridian, and proceeding with Said Lot 2 North 00°03'00" East 11,038 Sq. Ft. 141.8 feet; thence North 69°16'00" East 254.7 feet; thence South 20°43'01" East 175.0 0.25 Acres feet; thence South 77°11'00" West 307.9 feet to the point of beginning, having an area of 1.00 acres. LOT 2A 10788 Sq. Ft. EMERGENCY 0.25 Acres VEHICLE TURNAROUND WIDE EXISTING LOT 2C EASEMENT ILITY EASEMENT ANDARD LEGEND 10,806 Sq. Ft. 0.25 Acres 15' PUBLIC UTILITY $^{ackslash}$ EASEMENT, EXISTING LOT 2D 7.5' ON EACH **GARAGE TO** BE REMOVED / 0.25 Acres WITH PLAT OWNER'S DEDICATION Know all men by these presents that the undersigned are the owners of the above described tract of land, and hereby cause the same to be divided into lots, parcels and streets, together with easements as set forth to be hereafter known as MT. PEALE ESTATES, LOT 2 AMENDED LOT 9 Do hereby dedicate for Perpetual use of public all parcels of land shown on this plat as intended 7.5' WIDE EXISTING UTILITY for public use. PROJECT TYPE: \_\_\_\_\_ this \_\_\_\_ Day of \_\_\_\_ a.d., In witness whereof have hereunto set LOT 3 SUBDIVISION PROJECT ADDRESS: 4850 Spanish Valley Drive Moab, Utah 84532 PROJECT LOCATION: **ACKNOWLEDGMENT** West 1/4 CORNER SECTION SAN JUAN COUNTY, STATE OF UTAH 36, T26S, R22E, SLB&M (FND COUNTY SURVEY MON. STATE OF COUNTY OF PLAT NOTES: PREPARED FOR: DIVIDING LOT 2, MT. PEALE ESTATES INTO 4 QUARTER ACRE ON THE DAY OF 2021, PERSONALLY APPEARED **CURVE TABLE** LOTS. THE EXISTING EASEMENT ALONG THE EXTERIOR OF LOT 2 WILL TWS CONSTRUCTION BEFORE ME, ARC LENGTH CHORD LENGTH CHORD BEARING REMAIN THE SAME AND SPANISH VALLEY DRIVE WAS DEDICATED WHOM DID ACKNOWLEDGE TO ME THAT THEY SIGNED THE WITH ORIGINAL PLAT A SUBDIVISION OF LOT 2, MT. PEALE ESTATES, LOCATED WITHIN FOREGOING OWNER'S DEDICATION FREELY AND VOLUNTARILY AND FOR THE USES 2: ORIGINAL PLAT NOTE - "IT WILL BE THE RESPONSIBILITY OF THE SECTION 36, TOWNSHIP 26 SOUTH, RANGE 22 EAST OWNER, BUYER, OR DEVELOPER TO BRING ROADS WITHIN THESE AND PURPOSES STATED THEREIN. SALT LAKE BASE AND MERIDIAN DEDICATIONS UP TO SAN JUAN COUNTY STANDARDS. UNTIL SUCH DATE: TIME THOSE ROADS SHALL NOT BE ACCEPTED FOR PERPETUAL SURVEYOR NOTES DISTANCE MAINTENANCE BY SAN JUAN COUNTY" SPANISH VALLEY DRIVE IS 3/3/21 CURRENTLY A MAINTAINED COUNTY ROAD AND SAN JUAN COUNTY NOTARY PUBLIC The property has been accurately surveyed with the intent to subdivide land. The basis of bearing is N 00°03' E between the West Quarter corner and the Northwest corner SW1/4NW1/4 of Section 36, Township 26 South, Range 22 East, Salt JOB NUMBER: HAS NO STANDARDS FOR THE PRIVATE ROAD WITH THIS NOTARY PUBLIC FULL NAME:\_ S 89°57'00" | SUBDIVISION. 043-21 COMMISSION NUMBER:\_ N 00°03'00" E 5/8" x 24" rebar with survey cap to be placed at all lot corners or rights of way. Off-set pins to be placed in the back of the MY COMMISSION EXPIRES:\_ SHEET 1 OF 1 curb where applicable, in lieu of rebar and cap at front corners. COUNTY SURVEYOR APPROVAL AS TO FORM PLANNING COMMISSION CERTIFICATE **COUNTY COMMISSION APPROVAL** COUNTY RECORDER COUNTY BOARD OF HEALTH SAN JUAN COUNTY ROAD DEPARTMENT APPROVAL IN ACCORDANCE WITH PRESENTED TO THE \_\_\_\_\_ STATE OF UTAH, SAN JUAN COUNTY, RECORDED AT THE REQUEST OF INFORMATION AND RECORDS ON APPROVED AS TO FORM THIS DAY OF APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_ APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_ APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_ FILE IN THIS OFFICE , 2021. BY SAN JUAN COUNTY PLANNING COMMISSION. THIS \_\_\_\_\_\_, 2021. SUBDIVISION WAS ACCEPTED AND APPROVED. COUNTY SURVEYOR DATE ATTORNEY CHAIRMAN ATTEST



## Proposed amendment to Mount Peale Estates subdivision Lot 2

1 message

**Sandra Tyson** <sandratipad2@gmail.com> To: sburton@sanjuancounty.org

Mon, Apr 12, 2021 at 10:13 AM

Mr. Burton,

I would like to register my opposition to the subdivision of Lot two of the Mount Peale Estates. I see it as an encroachment on my privacy, my space, my silence, and my darkness. All of which I count as the many reasons that I moved to this property in the first place (15 years ago). I also see it as aesthetically unpleasing and much too crowded.

I wish that you would take that into consideration.

Sincerely,

Sandra Tyson Knecht, Lot 1, Mt. Peale Estates

Sent from my iPad



**MEETING DATE:** April 15, 2021

ITEM TITLE, PRESENTER: Area BFE Conditional Use, Scott Burton, Subdivision Administrator

**ACTION** 

**RECOMMENDATION:** Consideration of a requirement for Area BFE to go through the

Conditional Use Process unless they can provide verification of prior non-

conforming use back to 2011.

#### **SUMMARY**

Information stating that Area BFE is a Permitted Non-conforming use was presented at the March 11, 2021 PC Meeting. Area BFE was also asked to provide additional information supporting their claim to the prior non-conforming use, showing the extent of the prior use. In response to the information provided at the March 11, 2021 PC Meeting, we have received a new complaint that the current use has expanded beyond the level of use in 2011 when the zoning changed. If the use has in fact expanded, the current Zoning Ordinance would require a Conditional Use Permit for Area BFE.

#### HISTORY/PAST ACTION

We have received photographs and videos from nearby and adjoining property owners taken during recent events held at Area BFE. These photos and videos demonstrate the level of dust and noise produced from these events as well as some photographs on the number of participants; however absent comparable information from Area BFE on the prior use a determination on whether there has been an expansion is not yet verifiable.

More information is needed including the answers to these and other questions: How many events were held in 2011, and how many have been held each year since 2011? How many people attended or participated in these events? Were any roads closed in 2011? What events were held in 2011 and each year since 2011? Has additional land been included since 2011 for these events?

Without specific information from Area BFE showing the level of use from 2011 to 2021 we are left with only the photos, video, and complaint provided by the neighbors complaining of an increased use.

The recommendation to the PC is to require Area BFE to go through the Conditional Use Permit process unless they are able provide specific information including answers to the questions above, by a certain date chosen by the PC.



**MEETING DATE:** April 15, 2021

ITEM TITLE, PRESENTER: Definitions DISCUSSION

**RECOMMENDATION:** N/A Discussion Item

#### **SUMMARY**

As we work to revise our current ordinances, we need to define key terms.

#### HISTORY/PAST ACTION

Included in this packet is a list of all the definitions in our current ordinances, as well as some from other jurisdictions where we lacked one. This is meant to be a starting point for discussion that will help use better craft our revisions to the San Juan County ordinances.

TERM	OLD DEFINITION	OTHER EXAMPLE(S)	PROPOSED DEFINITION
ABATEMENT	None	The repair, replacement, removal, destruction, correction, or other remedy of a condition which constitutes a zoning violation 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	Building not used for human occupancy which is secondary to the main structure on the same piece of property such as a storage shed	(Accessory use or building) means a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principle use or structure.  (Accessory building) A building or structure, the use of which is incidental and subordinate in size and use to the main building  (Accessory use) A use that: A. Is customarily incidental to and found in connection with a principal or main use; B. Is subordinate to and serves a principal or main use; C. Is subordinate in extent, area or purpose to the principal or main use; and E. Contributes to the comfort, convenience or necessity of occupants, business or industry of the principal or main use.	
ACCESSORY USE	None	A use that:  1. Is customarily incidental to and found in connection with a principal or main use;  2. Is subordinate to and serves a 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.

#### Affected Entity (S)

a county, municipality, local district, special service district created under state law, school district, interlocal cooperation entity established under state law, specified property owner, property owners association, public utility, or the Department of Transportation.

means a county, municipality, local district under Title 17A, Chapter 2, local district under Title 17B, Chapter 2, Local Districts, school district, interlocal cooperation entity established under Title 11, Chapter 13, **Interlocal Cooperation** Act, specified public utility, property owner, property owner's association, or the Utah Department of Transportation, if: a. the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land; b. the entity has filed with the County a copy of the entity's general or longrange plan; or c. the entity has filed with the County a request for notice during the same calendar year and before the County provides notice to an affected entity in compliance with a requirement imposed under this title or the County Land Use,

Development, and Management Act.

#### Agriculture

The tilling of soil, the raising of crops, horticulture and gardening, including the grazing and pasturing of domestic animals, but not including any agricultural business or industry, such as fruit-packaging plants, fur farms, animal hospitals or similar uses

The act or science of cultivating the ground, the act or science of the production of plants and animals useful to man or beast; and includes gardening or horticultural fruit growing, storage and marketing.

Agriculture means the tilling of the soil, the raising of crops, horticulture and gardening, and not including any agricultural-related industry or business, such as, but not limited to, feed businesses, agriculture or farm supplies and equipment businesses, fruit packing plants, animal hospitals or similar uses.

## Agricultural Industry or Business.

An industry or business involving agricultural products in packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, commercial milk production, food packaging or processing plants, commercial poultry or egg production and similar uses as determined by the planning commission.

AGRICULTURAL LAND FOR AGRICULTURAL PURPOSES: A tract of land which has been approved by the planning commission as a tract of agricultural land for agricultural purposes.

#### Agricultural Land (S)

land devoted to the raising of useful 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	
District (S)	the Zoning Ordinance of	
	San Juan County, Utah as A-1 and where the	
	primary permitted land use	
	is agriculture.	
Airport.	A landing area used	
	regularly by aircraft for	
	receiving or discharging passengers	
	or cargo. (FAA definition)	
Airstrip.	An airfield without normal	
A TY	airport facilities.	
Alley:	A public thoroughfare less than twenty-five (25) feet	
	wide.	
Alteration	None	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 in doors,
		windows, means of ingress
		or egress, or any expansion or diminution of
		a building or structure.
Altered	None	Any change in the
		construction or addition to
		a building that increases the capacity or changes the
		use.
Anemometer.	An instrument for	
	measuring wind force and velocity.	
Angle (S)	the rotation required to	
	superimpose either of two	
A . 171 %	lines on the other.	
Animal Unit.	One (1) cow, one (1) horse, five (5) sheep or	
	goats, or an equivalent	
	number of smaller animals	
	or fowl as determined by	
	the Planning Commission.	
Appeal Authority.	The person, board,	

	commission, agency, or other body designated by this ordinance to decide an appeal of a decision of a land use application or variance.	
Arc (S)	a segment of a (surveyed) curve.	
Arena	None	An indoor or outdoor, public or private, commercial or noncommercial facility which is set aside for showing, training or exercising livestock.
Athletic Club	None	An establishment providing facilities for physical development, exercise, sports or recreation. Facilities may include exercise equipment, indoor and/or outdoor racquetball or tennis courts, jogging track, swimming pools, skating rink, 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	None	A building or premises used for the repair of any passenger auto, pickup truck, semitractor, 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	None	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 district.
Barn/Agricultural Building	None	An accessory structure upon a lot customarily used for the housing of animals/livestock, storage of crops or feed, and/or machinery used in bona fide agricultural activities.
Basement.	A story partly 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.	
Batching Apartment	None	A dwelling unit occupied by three (3) or more batching singles who are jointly utilizing the kitchen facilities of the dwelling unit.
Bearing (S)	the angular direction of a line on a survey.	
Bed & Samp; Breakfast/Boarding House.	A building with not more than five (5) guest rooms, where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.	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	None	Any single retail store with a gross main floor area of over forty thousand (40,000) square feet.
Block (S)	a segment of a platted subdivision usually containing one or more lots.	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.	
<b>Building Inspector</b>	None	The individual appointed by the county to enforce the 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, principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing a principal use upon a lot.	The building or buildings on a site which houses the main use.
Building, Public	None	A building owned and operated or owned and intended to be operated by a public agency of the United States Of America, or the state of Utah, or any of its subdivisions, including county and municipality in connection with a public use.
Camping	None	A recreational or temporary activity (less than 20 consecutive days per calendar year) which involves staying overnight in the open, in tent, or a trailer, camper, or other recreational vehicle.
Car Port.	A private garage not completely enclosed by walls or doors. For the purposes of	

	this Ordinance, a car port	
	shall be subject to all of	
	the regulations prescribed	
	for a private garage	A 1' ' 4 '
Caretaker Accessory Dwelling Unit	None	A living space that is either attached to or detached from the main residence or structure, and is intended for housing of a caretaker (plus immediate family) or an employee of the property owner (plus immediate family) who is caretaking, managing, or working on the subject property. Employment on the property shall be for a use that is legally recognized and approved by county zoning ordinance or official county approval (i.e., farming or ranching operations, property maintenance, employee for
		a permitted on site
C 100 10 (C)		business).
Certification (S)	the confirmation of an official document or a copy thereof by an authorized official.	
Childcare Center	None	A childcare facility that
		regularly provides custodial care for six (6) or more children during the part of any day.
Childcare, Home	none	A childcare facility operated on residential premises
Church or Temple	none	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	None	A building in which a group of physicians, dentists and allied professional 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.
Clustering	None	A subdivision or development design technique that concentrates the buildings or lots on a part of the site to allow the remaining land to be used for recreation, common open space and/or preservation of environmentally sensitive areas.
Collateral (S)	funds or some other valuable pledged as security against a promise to repay or perform certain actions.	arcas.
Commercial Use	None	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 hotel rooms, business offices and sales display premises.
Common Amenities	None	Amenities provided for the residents of a development that are owned in common by residents of the development.
Common Area	None	An area of common ownership of the residents 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 proposal.

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Community Use	None	The 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.
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.	A land use that because of its unique characteristics, or potential impact on the county and/or surrounding neighbors or adjacent land uses, may be allowed, allowed with conditions, or denied in designated zoning districts, based on compliance with standards and criteria set forth in this title for those uses.
Condominium.	The ownership of a single unit in a multi-unit project, together with an undivided interest in the common areas and facilities of the property.	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 (S)	the shape of a boundary or perimeter line, the shape of a lot, block or subdivision.	
Conservation Easement	None	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.
Constrained Land	None	(References sections of

		code where the slope, wetlands or other
		characteristics are
		outlined)
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 (S)	water intended for human	
	consumption, usually	
	required to meet certain	
	health	
	standards.	
<b>Dedication (S)</b>	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	
<b>5.1</b> (6)	purpose.	
Delineate (S)	to draw or trace the outline of.	
Divided land (S)	land that is described as	
Divided Idiid (8)	the land to be divided in a	
	notice as required by this	
	ordinance and has been	
	divided by a minor	
Drainage Ditch	subdivision. None	Any system of canals or
Drumuge Diten	Tione	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	None	A private roadway for
		access of vehicles to a
		residence, parking space, garage or other structure.
Dwelling.	Any building, or portion	A building designed or
	thereof, which is designed	used for residential
	for use for residential	occupancy, including one-
	purposes, except hotels,	family, two-family, multi-
	apartment hotels, bed	family and apartment
	& amp; breakfast/boarding houses, lodging houses,	structure; but shall not include boarding, rooming
	tourist	or lodging houses, tents,
	courts and apartment	trailers, mobile home
	courts.	parks, motels, motor
		courts, motor lodges,

		cottage camps, or similar structures designed or used
		primarily for transient
Dwelling Form or	A building to provide	residential uses. See caretaker accessory
Dwelling, Farm or Ranch.	A building to provide housing for migratory or temporary farm workers, persons permanently working on a farm or ranch, or for family members of the main household who are engaged full-time in operating the farm or ranch.	dwelling unit
Dwelling, Multiple- family.	A building arranged or designed to be occupied by three (3) or more families,	A dwelling or group of dwellings on one lot containing separate living units for three (3) or more families having separate or joint entrances.
Dwelling, Single-family.	A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.	A building designed for and occupied exclusively by one family on a separate lot and not sharing any common wall.
Dwelling, Two-family.	A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.	Two (2) dwellings sharing a common wall or walls and located on one lot.  A dwelling sharing a common wall or walls, but each unit being located on an individual lot including twin-homes and townhomes.
Dwelling Unit.	One or more rooms in a dwelling, apartment hotel or apartment motel, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units.  (S) a structure or portion thereof designed to provide permanent living accommodations for an individual or family.	A single unit providing complete, independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation.
<b>Enforcement Officer</b>	(SJCO places all	The director of the
	(	

	enforcement with Zoning Administrator)	planning and zoning department, building inspector, sheriff or county attorney, or their authorized representative, or some other duly designed officer of the county that is authorized as the agent charged with the enforcement of the provision of this title.	
Easement (S)	a right, such as a right of way, afforded a person to make limited use of another's real property.	•	
Escrow deposit (S)	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	None	An increase in the size of an existing structure or use, including physical size of the property, building, parking and other improvements.	
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.  STATE LAW 17-27a-505.5 dictates.	An individual or two (2) or more persons related by law, blood, marriage or adoption, or up to three (3) unrelated persons, living together in a single dwelling unit and maintaining a common household.	
Family Care Home	None	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 mentally retarded 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.
<b>Family Daycare Center</b>	None	A dwelling or place of
rumiy zujemie cemer	110110	business wherein a
		resident family provides
		ordinary care and
		supervision during
		customary daytime periods
		to nonrelated persons. To
		qualify for a daycare
		center, an agency of Utah
		state government must
		approve the dwelling or
		place of business.
Farm	None	A business enterprise in
		which land is used for the
		production of food, feed or
		fiber.
Farm Animals	None	Animals and fowl such as
Tarm Ammais	Tione	commonly used for food
		or fiber production, or as a
		beast of burden, for
		commercial purposes or
	N.	for pleasure.
Farm Industry	None	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.
Fast Food Eating	None	Any establishment where
Establishment		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 and whose
		operation includes one or
		*
		more of the following
		characteristics:
		Food or beverages are
		served to the occupants of
		a motor vehicle while
		seated therein (e.g., drive-
		through window or drive-
		in); and
		Food and beverages are
		usually served over a
		abdaily bollow over a

Fence A	None	general service counter for the customer to carry to a seating area within the restaurant, to a motor vehicle, or off premises. A structure erected to provide privacy or security
		that defines a private space or is used to constrain domestic animals.
Fence, Sight Obscuring	None	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 fence.
n n e r a ii e	Any situation, process, material or condition that may cause a fire or explosion or provide a ready fuel supply to augment the spread or ntensity of the fire or explosion and that poses a hreat to life or property.	
of sale (S)  a  n  a  tt	wherein the County places a lien on one or more lots in a subdivision and prohibits the sale of hose lots until specified bublic improvements have been satisfactorily completed.	
Floodplain (S)  11  12  13  14  15  16  17  18  18  18  18  18  18  18  18  18	and that is within the 100-year flood plain designated by the Federal Emergency Management Agency or has not been studied or designated by the Federal Emergency Management Agency but be been to be a likelihood of experiencing chronic chooding or a catastrophic chood event because the and has characteristics that are similar to those of	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.  Zone areas (a 100-year flood area), as defined in FEMA's federal insurance rate map
E	a 100-year flood plain designated by the Federal Emergency Management Agency.	

	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 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.	The distance between the two (2) side lot lines of a parcel measured along the street, or streets of a corner lot, which the parcel is allowed to access. For purposes of this title, temporary turnarounds, dead ends of roadways, or emergency accesses shall not be used as frontage.	
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 lot occupied by a multiple 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 dwelling, if the garage and dwelling have a roof or	An attached or detached building accessory to a dwelling on the premises designed or used for the storage of private passenger automobiles owned and used by the occupants of the building to which it is accessory.	
Garage, Public.	wall in common.  A building or portion thereof, other than a private garage designed or used for servicing, repairing, equipping, hiring, selling or storing motor-driven vehicles.	A building or portion thereof, other than a private garage, designed or used for the storing, servicing, repairing, equipping, hiring or selling of motor driven vehicles.	
Garage/Yard Sale	None	The sale of personal belongings in a residential zone, which sale is conducted by a legal resident of the premises.	
Gasoline, Retail	None	A building or premises used for the sale of gasoline and limited amounts of other oil products. Such premises may also include the sale	

		0.0 1 1	
General Plan.	The document adopted by the county that sets forth general guidelines for proposed future development of the unincorporated land within the county.	of food products.  A coordinated plan which has been prepared and adopted by the county for the purpose of identifying present and future needs of the county and guiding the growth and development of land within the county, or any part of the county, including uses of land for urbanization, trade, industry, residential, agricultural, wildlife habitat and other purposes.	
Geologic Hazard.	One of several types of adverse geologic conditions capable of causing damage or loss of property and life.	morat and saler purposes.	
Glamping	None	Glamorous Camping (or Glamping) means a form of camping where a hospitality company provides a form of lodging, whether in a tent or yurt, where guests can experience the positive aspects of camping without the "uncomfortable" negatives. The amenities found at glamping sites far exceed those found at a traditional camping site.	
Gravel Pit.	A pit from which gravel is obtained.	traditional camping site.	17-27a-10
Hard Surface	None	An impermeable, dust free surface, such as concrete or asphalt. Road base does not qualify.	
High density subdivision (S)	When a subdivision has ten (10) or more lots within a concentrated area.		
Home Occupation.	Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which	A nonresidential activity, conducted primarily within a dwelling unit, which is clearly incidental and secondary to the use of the dwelling for residential purposes.	

there is not display, nor stock in trade. The home occupation shall not include the sale of commodities except those which are produced on the premises, and shall not involve the use of any accessory building or yard space or activity, outside of the main building, not normally associated with residential use. Home occupation shall include the use of the home by a physician, surgeon dentist, lawyer, clergyman, engineer, or other professional persons for consultation or emergency treatment but not for the general practice of his profession. In all cases where a home occupation is engaged in, there shall be no advertising of said occupation, no window displays, or signs except as hereinafter permitted, and no employees employed.

## Homeowner's Association

None

An incorporated nonprofit organization operating under recorded land agreements through which: a) each lot/home owner 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

None

An institution licensed by the state of Utah providing inpatient health services for human beings for inpatients, 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.
Hotel.	A building designed for or occupied as the temporary abiding place of sixteen (16) or more individuals who are, for compensation, lodged.	A building containing guestrooms in which lodging is provided for compensation to transient or permanent guests, or both, and where no provision is made for cooking in the guestrooms, and in which commercial services may be provided for guests.
Household Pet.	Animals or fowl ordinarily permitted in the house, and kept for company or pleasure such as dogs, cats, and small caged birds, but not including a sufficient number of dogs to constitute a kennel, as defined in this Ordinance.	Animals or fowl ordinarily permitted in the house and kept for company or pleasure and not for profit, such as dogs, cats and canaries, but not including a sufficient number of dogs to constitute a kennel. Household pets shall not include chickens or any animals that are capable of inflicting harm or discomfort, or endangering the health, safety or welfare of any person or property. The number of household pets shall be limited to that allowed by the provisions of each respective zone as set forth in this title.
Illegal Lot	None	An illegal lot is 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.
Impact fees (S)	fees that may be required to provide required infrastructure improvements and/or services.	
Industry.	The organized action of making of goods and services for sale.	
Junk	None	Any scrap, waste, reclaimable material or debris whether or not stored or used in conjunction with dismantling, processing, salvage, storage, disposal

		4 9 11
Lunk Wood	The use of any let went	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.	The use of any lot, portion of a lot, or tract of land for the storage, abandonment of junk, including scrap metals or other, 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.	An open area where junk, used or secondhand materials are bought, sold, exchanged, stored, processed or handled. 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.
Kennel.	The keeping of three (3) or more dogs, at least four (4) months old.	An establishment having three (3) or more dogs, cats or other household pets for the purpose of boarding, breeding, buying, letting for hire, training for fee or selling.
Land to be divided (S)	land that is proposed to be divided by a platted or minor subdivision.	
Land Use Application.	An application required by the county's land use ordinance.	
Land Use Authority.	The person, board, commission, agency, or other body designated by the local legislative body in this ordinance to act upon a land use application.	
Land Use Ordinance.	A planning, zoning, development, or subdivision ordinance of the county, but does not include the general plan.	
Land Use Permit.	A permit issued by the land use authority.	
Legislative Body.	The county legislative	

body. Letter of credit (S) 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 None 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. Any entity created under state law – Local Districts, and any other governmental or quasigovernmental entity that is not a county, municipality, school district, or the state. Lodging House. A building where lodging only is provided for compensation to five (5) or more, but not to exceed fifteen (15) persons. **Long Term Rental** A parcel of land occupied Lot. by a building or group of buildings, together with yards, open spaces, lot width and lot area as are required by this Ordinance, having frontage upon a street or upon a right-ofway or upon a right-ofway not less than sixteen (16) feet wide. Except for group dwellings and guest houses, not more than one (1) dwelling structure shall occupy any one (1) lot. (S) a parcel or unit of ground described by metes and bounds or as a numbered lot or parcel in a

	recorded subdivision and		
	held or intended to be held		
	in a separate lease or		
	ownership.		
Lot Area.	The total gross land area	the horizontal area within	
	of a parcel of land, not	the exterior lines of the lot,	
	including street right-of-	exclusive of any area in a	
	ways dedicated to the public.	public or private way open to public uses.	
Lot, Corner.	A lot abutting on two	A building lot situated	
Lot, Corner.	intersecting or intercepting	within a corner created by	
	streets, where the interior	the intersecting lines of a	
	angle of Intersection or	street or streets that has	
	interception does not	frontage on two (2) sides.	
	exceed one hundred thirty-		
	five (135) degrees.		
Lot Depth.	The horizontal distance		
	between the front yard and		
	the rear lot lines measured		
	in the main direction of the		
	side lot lines.		
	side for fines.		
	(S) the horizontal distance		
	between the front and rear		
	lot lines.		
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.		
Lot Line, Front.	For an interior lot, the lot		
Lot Line, Front.	line adjoining the street;		
	for a comer lot or through		
	lot, the lot line adjoining		
	either street, as elected by		
	the lot owner.		
Lot frontage (S)	that part of a front lot line		
	that abuts a street.		
Lot Interior.	A lot other than a corner		
Lat line adjustment (S)	lot. the relocation of the		
Lot line adjustment (S)	property boundary line in a		
	subdivision between two		
	adjoining lots with the		
	consent of the owners of		
	record pursuant to state		
	law.		
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		

Lot Line, Side.	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. 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 lot lines, measured at the required front yard setback line or rear yard setback line, whichever is shorter  (S) the horizontal distance between the side yard lines.	
Manufactured Home	None	A home or other building of new construction without attached axles or wheels, which has been assembled fully, or in 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 uniform building code.
Mining.	Mining is 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	ounding code.

whether they be underground or aboveground. a division of land into no

#### Minor subdivision (S)

more than ten (10) lots; or a division of land that is compliant with state law as follows: (a) the parent parcel shall be at least 100 contiguous acres of agricultural land; (b) one new lot, of at least one acre in size and after division is separate from the remainder of the original 100 or more contiguous acres of agricultural land, may be created; and (c) may not be within 1,000 feet of another minor subdivision created through this subsection.

#### Minor subdivision lot (S)

a lot created by a minor subdivision.

#### Mobile Home.

A detached, single-family dwelling unit of not less than thirty (30) feet in length, designed for longterm occupancy, and to be transported on its own wheels or on a flatbed or other trailers or detachable wheels; containing a flush toilet, sleeping accommodations, a tub or shower bath, kitchen facilities, and plumbing and electrical connections provided for attachment to appropriate external systems, made ready for occupancy except for connections to utilities and other minor work. Presectionalized, modular, or prefabricated houses not placed on permanent foundations, shall be regarded as mobile homes.

A detached dwelling designed for long term occupancy and to be transported on its own wheels, or on a flatbed or other trailers or detachable wheels, and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Removal of such wheels or placing such dwelling unit on a foundation shall not remove such unit from classification as a mobile home.

## Mobile Home Park.

A space designed and approved by the local jurisdiction for occupancy by mobile homes, to be under a single ownership

	or management, and meeting all requirements of		
	the zoning ordinance for		
	mobile home parks.		
Mobile Home	A subdivision designed		
Subdivision.	and intended for		
	residential use where		
	the lots are to be		
	individually owned or		
	leased, and occupied by		
N. 1 . 4 T	mobile homes exclusively.		
Moderate Income	Housing occupied or		
Housing.	reserved for occupancy by		
	households		
	with a gross household income equal to or less		
	than 80% of the median		
	gross income for		
	households of the same		
	size in the county in which		
	the housing is located.		
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.	A building or group of	A building or group of	
1VIOLEI	buildings for the drive-in	detached or connected	
	accommodation of	buildings designed or used	
	transient	primarily for providing	
	guests, comprising	sleeping accommodations	
	individual sleeping or	for automobile travelers	
	living units, and designed	and having a parking space	
	and located to serve the	adjacent to a sleeping	
	motoring public.	room. An automobile court	
		or a tourist court with	
		more than one unit or a	
		motor lodge shall be	
Mylar (S)	(1) a thin polyester	deemed a motel.	
myrar (b)	material that when drawn		
	upon can be reproduced on		
	a blue or black		
	line print. (2) the official		
	copy of a subdivision plat.		
Natural Waterways.	Those areas, varying in		
	width, along streams,		

creeks, gullies, springs, or washes which are natural drainage channels as determined by the Building Inspector, and in which areas no buildings shall be constructed.

# Nonconforming Building or Structure.

A building or structure or portion thereof, lawfully existing before its current lands use designation and 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.

A structure that legally existed before its current zoning designation, and because of subsequent zoning changes does not conform to the setback, height restrictions or other regulations governing the use.

## Nonconforming lot of record

None

A lot or parcel that: a) legally existed as a developable lot or parcel 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 (August 11, 1965); c) has not decreased in size since its creation, except for lot line adjustments, as defined in Utah Code Annotated section 17-27a-103, as currently amended; and d) because of one or more subsequent land use ordinance changes does not conform with the minimum size, width, frontage, depth or other applicable dimensional requirements of the zone where the lot is located. A use of land that legally

## Nonconforming Use.

A use of land that legally existed before its current land use designation, has been maintained continuously since the time the land use ordinance regulation

A use of land that legally existed before the current land use regulations, has been maintained continuously since the time the land use regulation governing the

Official (S)	governing the land changed, and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land. any elected official or their designated deputy of San Juan County or the appointed Administrative Assistant, Building Inspector, Surveyor, Subdivision	land became effective, and because of subsequent zoning changes does not conform to the land use regulations that govern the land.
	Administrator, or Zoning 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 of record (S)	the individual named on a deed that has been recorded at the San Juan County Recorder's Office.	
Parcel of record (S)	any lot, tract, parcel or other piece of land that was 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) automobile.	
Performance bond (S)	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 (S)	a line around any piece of
•	property such as a lot,
	block or subdivision
	which encloses and
	separates that piece from
	adjacent pieces.
Person (S)	any individual or agent of
	an individual, a family
	entity, a corporation, a
	public entity or any other
	organization or association
	that has the legal right to
	own, lease, or use
	property.
Planned Unit	An integrated design for
Development (PUD).	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,	is a seven (7) member
San Juan County (S)	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.	A map or other graphical
	representation of lands
	being laid out and

	prepared in	
	accordance with State law.	
	(S) a map or other graphical representation of lands being laid out and prepared in accordance with state law and this Ordinance which serves as	
	an instrument for approval by the Board of County Commissioners of San Juan County, Utah.	
Plat, final (S)	the official signed plat which is recorded with the County Recorder.	A plat or plats of a development that has been prepared for recording purposes in accordance with county standards.
Plat, preliminary (S)	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.	
Public Agency.	The federal government, the state, a county, municipality, school district, special service district, or other political subdivision of the state, or a charter school.	
Public Hearing.	A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.	
Public Meeting.	A meeting that is required to be open to the Public under state law.	
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.	
Radii (S)	(plural of radius), a line segment between the center of a circle and any	

	point on its	
Record of Survey Map.	circumference.  A map of a survey of land	
Record of Survey Map.	prepared in accordance	
	with state law.	
Right-of-way (S)	a legal right of passage	
• • •	over another person's	
	ground.	
Road (S)	See Street, public.	
Road, County (S)	a road or highway	
	designated as a County	
	road and maintained by	
	San Juan County.	
Road, private (S)	a road or driveway on	
Koau, private (5)	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.	
Seal (S)	the official seal of a	
(-)	licensed professional Land	
	Surveyor.	
Section line (S)	the line delineating the	
	boundary of a section of	
	land in the United States	
Corres exetem private (C)	Geological Survey. a system for treatment and	
Sewer system, private (S)	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	
Sewer system, public (S)	systems. an approved sanitary	
Sewer system, public (5)	sewer system containing	
	transmission lines and	
	treatment facilities owned	
	and operated by a public	
	entity such as a	
	municipality or special	
CI A TO	district.	
Short-Term Rental	None	a short-term vacation
		rental (also called a vacation rental) is most
		often defined as a rental of
		a residential dwelling
		unit or accessory building

Sight dictores triongle	the area at the intersection	for periods of less than 31 consecutive days; in some communities, short term rental housing may be referred to as vacation rentals, transient rentals, short-term vacation rentals or resort dwelling units.
Sight distance triangle (S)	of two streets or roads or where a driveway enters a street or road, which is intended to allow a clear line of sight of oncoming vehicles.	
Stock proof fence (S)	a fence designed to contain or prevent cattle, horses, sheep or other domestic animals from entering or leaving the fenced area.	
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.	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.	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 (S)	any division of an existing parcel of land in accordance with this Ordinance.	

#### Subdivider (S)

any person or agent of a person who causes land to be subdivided.

#### Subdivision.

Any land that is divided, re-subdivided or proposed to be divided into two 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. It also includes the division or development of land by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument except as provided in state law, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial uses. It does not include a bona fide division or partition of agricultural land for agricultural purposes, a recorded agreement between owners of adjoining properties adjusting their mutual boundary if no new lots are created, and the adjustment does not violate land use ordinances.

### Subdivision (S)

in this Ordinance, the division, re-subdivision, or proposal to divide any land into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, development, either on the installment plan or upon any and all other plans,

terms or conditions. Subdivision does not include: (1) 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 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; (d) a data gathering tower or turbine for the generation of electricity. (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; or (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. (7) 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 Subsection as to the unsubdivided parcel of property or subject the unsubdivided parcel to the county's subdivision ordinance. carrying out a subdivision

## Subdivision, phase(s) (S)

carrying out a subdivision

in gradual stages.

Subdivision phase(s) may not be one lot and must be contiguous to other parts of the subdivision.

### Subdivision

Administrator (S)

the official or employee of San Juan County appointed by the Board of County Commissioners to administer this Ordinance. For the purposes of this ordinance,

the Subdivision

Administrator may be the

land use authority.

# **Subdivision Improvement Agreement**

**(S)** 

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 the collateral, to		
	insure the improvements		
Storm water detention	are constructed. the holding of storm water		
(S)	on a particular site through		
	the use of swales or structures that are		
	designed to release the		
Curror monument (C)	water at a specified rate.		
Survey monument (S)	an object placed or built to identify a survey reference		
	point, usually a section		
Swimming pool	corner on the land. None	A portable or permanent	
<b>81</b>		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, fish pond 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.	
<b>Topographical contours</b> (S)	horizontal lines on a map indicating an elevation		
(6)	above a specified		
	point, usually sea level, and containing intermittent		
	lines in intervals usually of		
	two (2) feet, five (5) feet		
	or other specified distances.		
<b>Tourist Court.</b>	Any building or group of		
	buildings containing sleeping rooms, with or		
	without fixed cooking		
	facilities designed for temporary use by		
	automobile tourists or		
	transients, with a garage attached or parking space		
	conveniently located to		
	each unit, including auto		
	courts, motels, or motor lodges.		
RV/Trailer Camp.	_		
Kv/IIanei Camp.	Any area or tract of land		

	used or designed to
	accommodate two (2) or
	more automobile trailers
	or camping parties.
Unincorporated.	The area outside of the
-	incorporated areas of a
	county.
	•
	(S) the area outside of the
	incorporated area of a
	municipality.
Unit costs (S)	the cost of a specified
cinc costs (s)	segment or part of an
	improvement usually
	expressed as a
	cost per linear foot.
Use, Accessory.	A subordinate use
ose, Accessory.	customarily incidental to
	and located upon the same
	lot occupied by a main
Use, Main	use. The principal function or
Ose, Main	use of the land and/or
Vacata (C)	building or structure
Vacate (S)	1) 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 or portion
	thereof and return it to
	unplatted status.
Variance.	An authorization by the
	Planning Commission,
	acting as the Land Use
	Authority pursuant to state
	law, relative to specific
	parcel of land for a
	modification of a zone's
	standard
	height, bulk, area, width,
	setback, or separation
	requirement; as
	distinguished from a
	conditional use, the
	allowing of a use not listed
	as permitted in a zone, or
	any other change in zoning
	requirements.
Velocity (water) (S)	the rate of flow at a
	specific point usually
	stated in cubic feet per
	seconds (cfs) or gallons
	per minute (gpm).
Vicinity map (S)	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 (S)	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 (S)	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.	
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 side 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	
¥74	building line.	A toutilly structure
Yurt	None	A tentlike structure
		· · · · · · · · · · · · · · · · · · ·
		which may be easily
Yurt	None	consisting of a wooden base and frame with a canvas outer covering,

		dismantled and moved.
Wind Turbine.	A turbine that is powered by the wind.	
Zoning Map.	A map, adopted as part of a land use ordinance that depicts land use zones, overlays, or districts	



# **Permit Report**

## 03/05/2021 - 04/13/2021

Permit # \$	Permit ‡ Date	City or County	Residential  or Commercial	Type of \$ Permit	Building <b>‡</b> CityStateZip	Owner \$ Name	Applicant \$ Name	Parcel #	Parcel <b>‡</b> Address
21,055	4/12/2021	San Juan County		Solar	Monticello UT 84535		Titan Solar Power UT Inc		
21,054	4/9/2021	San Juan County		New Construction	Moab UT 84532		Stephen G Burtell and Anna Burtell	000700000020	
21,052	4/7/2021	San Juan County		New Construction	Monticello, Utah 84535		David Gillette	32S23E254804	2501 W BLUE MOUNTAIN RIDGE
21,049	4/1/2021	San Juan County	Residential	Electrical		Kevin Sheets	Kevin Sheets	000040000070	
21,047	3/23/2021	San Juan County	Residential	Moved on Structure	La Sal Utah 84530	Mark Halladay	Mark Halladay	000650000180	33 N COYOTE LN
21,046	3/22/2021	San Juan County	Residential	Addition/Remodel	Blanding, Ut 84512		Lee Patterson	36S22E144200	2288 N BLUE MOUNTAIN RD
21,045	4/7/2021	San Juan County	Residential	New Construction	Moab, UT 84532		Thomas Fritz / Jennifer Alexander	700000410	116 FLAT IRON MESA
21,044	3/19/2021	San Juan County	Residential	New Construction	Blanding, UT 84511		Jorma Hayes	37S22E017206	
21,043	3/11/2021	San Juan County	Residential	Addition/Remodel	Moab, UT 84532		North Moab 16 N McElhaney Ln	000620000380	16 N MCELHANEY LN
21,042	3/10/2021	San Juan County	Residential	Manufactured Home-Private Property	Blanding Utah 84511		Chad McDonald	37S22E017820	
21,041	3/8/2021	San Juan County	Residential	Electrical	Moab, UT 84532		Brandon Daley	620000290	33 N MCELHANEY LN
21,028	3/10/2021	San Juan County	Residential	Solar	Moab, UT 84532	Simpatica Properties LLC	Aaron Thompson	26S22E366000	

Total Records: 12 4/13/2021

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