

CHAPTER 2

DEFINITIONS

Chapter 2. DEFINITIONS. For the purpose of this code, certain numbers, abbreviations, terms, and words shall be used, interpreted, and defined as set forth herein. Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word "herein" means "in these regulations"; the word "regulations" means "these regulations"; "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied". Words that are not included herein but are defined in the nationally recognized, state adopted, international building code, shall have the meaning as defined within said uniform building code. Chapter and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of any chapter or section herein.

Abandon/Abandoned. Means a use that has been discontinued for a minimum period of one year or a building, structure, sign, or other object that remains vacant or unused for a minimum period of one year.

Accessory dwelling unit. An Accessory Dwelling Unit (ADU) is a subordinate residential dwelling unit, with its own food preparation, sleeping, and sanitation facilities, meant for one additional single family located in a separate dwelling unit on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached accessory building. A mobile home (as defined in UTAH CODE ANN. 57-16-3, as amended) or other portable structure does not qualify as an ADU, nor may an ADU be located within a mobile home or other portable structure.

Adult-Oriented Businesses. Adult-oriented business means any or all of the following or any portions of the following: adult book store, adult video store, adult novelty store, adult motion picture theater, adult theater, and tattoo parlors. See Chapter 7.3 - BC Zone

Affected Entity. A county, municipality, independent special district under Utah Title 17A, Chapter 2, Independent Special Districts, local district under Utah Title 17B, Chapter 2, Local Districts, school district, interlocal cooperation entity established under Utah Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility, 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 municipality a copy of the entity's general or long-range plan; or
- (c) the entity has filed with the municipality a request for notice during the same calendar year

Alley. A public thoroughfare less than 26 feet wide.

Animal Unit(s). A method to calculate number and types of animals allowed in the several zones.

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Appeal Authority. The Fountain Green City Board of Adjustment is designated by ordinance to decide an appeal of a decision of a land use application or a variance. See Chapter 3.18.

Assisted Living Center/Facility. Residences that provide for

semi-independent living as provided under and controlled by State Law. See Chapter 9.

Auxiliary Building. A structure not for human habitation – Including stick-built sheds, "Tuff" sheds, shipping containers, Quonset huts, tarp-covered carports, etc. (portable or not). Auxiliary buildings less than 200 sq.ft. need to meet setback and fire lane requirements, but are not required to have anchors, footings, or a foundation. Auxiliary buildings 200 sq.ft. or more are required to have footings, a foundation, or appropriate anchors as well as meeting setback and fire lane requirements.

Bed and Breakfast. A building where, for compensation, meals and lodging are provided for not more than 15 persons. A residential building in which not fewer than two but not more than five rooms are rented out by the day, offering overnight lodging, and where one meal shall be provided to overnight paying guests.

Board of Adjustment. A five-member board appointed by the Fountain Green City Council as provided in this ordinance to hear appeals.

Bond, Public Assurance. A one-year guarantee to the City that all public improvements have been installed to City specifications and will operate properly.

Breezeway. A covered walkway between two buildings with two separate walls and firewalls on both walls. The City Fire Chief has requested that a breezeway be no less than 8' wide to allow fire fighters room to fight fire between the two buildings.

Building. A structure at least partially enclosed with "walls" and a "roof" (including geodesic domes, Quonset huts, carports, and other odd-shaped structures). Any roofed structures attached to the main structure are considered as part of the building (porch, patio, deck, bay window, etc.).

Building Area. The portion of a lot that is within the envelope formed by the required yards or setbacks, within which a structure can be located.

Building Code. The International Building Code, as adopted by the City.

Building Height. The vertical distance from the existing grade to the highest point of the cornice of a flat roof or to the deck line of a mansard roof or to the midpoint of the highest gable of a pitch or hip roof. The maximum height of any building within City limits must not be more than 28' as measured at the ridgeline of the roof and 21' at the lowest point of the eaves.

Building Inspector. Sanpete County official who is designated to inspect a building under construction and upon completion.

Child Care, Center. The provision of childcare for business for eight or fewer children, including the provider's children who are under the age of 12, within a dwelling unit.

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Child Care Facility. The provision of childcare for business for nine or more children including the provider's children who are under the age of 12 years old.

Church. A building set apart primarily for the purpose of worship in which religious services are held and with which clergy is associated, the main body of which is kept for that use and not put to any other use inconsistent with its primary purpose, and which is tax exempt under the laws of the State of Utah.

Clear Vision Area Restriction. An area outlined by the sight distance triangle where solid fencing or natural vegetation is restricted to a height of 3 ½' and hanging no lower than 7 ½' where all structures or other items that would obstruct vision are prohibited. See Sight Distance Triangle.

Commission. The Planning Commission of Fountain Green City.

Complete Application. A submission, which includes all information requested on the appropriate form, and full payment of all applicable fees.

Conditional Use. A land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas of a zone district, or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Congregate Living Facility. A residence in which three or more persons unrelated to the owner or provider reside, including but not limited to youth homes, residential facilities for the disabled, residential facilities for the elderly.

Constitutional Taking. Final action by the City to physically take or exact private real property that requires compensation to the Owner because of the mandates of the Fifth or Fourteenth Amendments to the Constitution of the United States, or Article I, Section 22, of the Utah Constitution.

Council. Members of the City Council of Fountain Green.

County. The area of Sanpete County.

Culinary Water Authority. The Fountain Green City Council with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Cultural, Civic Buildings. A building primarily used for the public display of art, cultural or community events, historic or cultural artifacts, or other inanimate exhibits or a building primarily used as a lending library or reading room.

Dedication. The setting aside of land by an owner for any public use for the enjoyment of the public and owned by a public agency.

Detached ADU. An ADU located in an accessory building on the property and not attached to or within the principal dwelling unit.

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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. This definition includes construction activity.

Disability. Means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. "Disability" does not include current illegal use of, or addiction to, any federally controlled substance. See Chapter 9.

District. A portion of the area of Fountain Green City, Utah shown on a zoning map (attached to this ordinance) and given a zone classification as set forth in this ordinance.

Dwelling. Any building, or portion thereof, which is designed for use for residential purposes, except hotels, boarding houses, lodging houses, tourist cabins, recreational vehicles, sheep camps, and bed and breakfasts.

Dwelling Unit. A portion of a building designated as the residence of one family or individual with suitable approved provisions for eating, sleeping, cooking, and sanitation.

Dwelling Unit, Manufactured/Modular. A transportable factory built 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, when erected on site, is 960 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling unit with a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. To meet the requirements of this Ordinance and State laws, when erected on the site the home must be at least 24 feet in width at the narrowest dimension. All appendages, including carports, garages, storage buildings, additions, or alterations must be built in compliance with the Building Code. A Manufactured Dwelling Unit shall be identified as real property on the property assessment rolls of Sanpete County.

Elderly Person. A person who is 62 years old or older, and who desires or needs to live with other elderly persons in a group setting, who may or may not be capable of living independently.

Enforcement. See Chapter 3.

Escrow. A deposit of cash with the City or in an approved, federally insured financial institution designating the City as beneficiary, or alternate security in lieu of cash held to ensure a guarantee.

Exaction. The act of exacting fees, rewards, or contributions levied with severity or injustice.

Family. A single housekeeping group of people with stable, rather than transient living arrangements, or a householder caring for a reasonable number of children with no more than four unrelated individuals. For groups of greater than four unrelated persons to constitute a "family", the group would have the burden of proving to the Fountain Green City Planning Commission that they meet the criteria set forth in the zoning regulations to show that they are a "functionally equivalent family". The factors which must be considered by the Planning Commission are whether the group: 1) shares the entire house, 2) lives and cooks together as a

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single housekeeping unit, 3) shares expenses for food, rent, utilities or other household expenses, and 4) is permanent and stable.

Fence, Wildlife. Open fencing allowed at a height 6 ft. or higher when a need is shown to protect animals from entering or leaving an area.

Final Action. The latter of the final vote or the approved, written decision on a matter.

Final Plat. A recordable Subdivision or condominium map.

Fire Lane. The National Fire Protection Association describes a fire lane as the distance between a building and its nearest property line, other building, etc.... The City Fire Chief has requested that all fire lanes within the City measure no less than 12' to allow time for the volunteer Fire Department to arrive and prevent a fire from spreading to an adjacent structure. This setback applies to any building in the City.

Garage/Yard Sale. A sale of personal belongings in a residential zone, which sale is conducted by a bona fide resident of the premises.

General Plan. The document that Fountain Green City has adopted that sets forth general guidelines for proposed future development of the land within the municipality, as set forth in Sections 10-9-301 and 10-9-302 of the Utah Code.

Governing Body. The City Council of Fountain Green City.

Group Home. “Group home” means a profit or non-profit boarding home for the sheltered care of persons with special needs, which, in addition to providing food and shelter may also provide some combination of personal care, social, or counseling services, and transportation. Group home includes congregate facilities for all persons. Assisted Living, Elderly, Persons with a Disability.

Health Care Center (Convalescent Center). A publicly-or-privately-operated facility, other than a hospital, intended for the long-term, in-patient care of human illness or infirmity, including the elderly and developmentally disabled, normally employing the services of skilled and licensed practitioners.

Health Department. The Utah State or local health agency having jurisdiction.

Home Occupation. An occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display other than that provided in Fountain Green City Ordinance with relation to signs, no stock in trade, no person employed other than members of the family residing on the premises.

House. A building for human occupation including any covered/roofed porch/patio, bay windows, etc. attached to the main structure.

HUD Code. The federal manufactured housing construction and safety standards act. This act was passed in 1974 and became effective June 15, 1976.

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Impact Fee. As determined by the Fountain Green City Council and Mayor.

Inaction. An application is inactive and subject to denial on the basis of inactivity if, through the act or omission solely of the applicant and not of the City:

- (a) More than six months has passed since a request for additional information was made by the City without a response from the applicant;
- (b) Upon notice the applicant is more than 60 days in default of the payment of any fee assessed by resolution, or has not paid the fee under protest;
- (c) The applicant has stated an intent to abandon the project; and
- (d) The application appears to have been filed in bad faith for the purpose of attempting to vest rights prior to a zoning change, without actual intent to construct the project applied for.

Industrial (or Research) Development. A tract of land that is subdivided and developed according to a plan for the use of a community of industries and related uses and that is of sufficient size and physical improvement to protect surrounding areas and the general community and to assure a harmonious integration into the neighborhood.

Internal ADU. An Internal Accessory Dwelling Unit (IADU) is an ADU created within the footprint of a primary dwelling unit.

Kennel, Commercial. A shelter for or place where any number of dogs, cats or other small pets are bred, boarded, groomed, or trained for a commercial gain of more than \$1,500 gross/year. A conditional use permit is required as well as a business license or home occupation permit.

Kennel, Private. A shelter for or a place where four or more adult dogs are kept for private and personal enjoyment without commercial gain of \$1,500 or more/year. A kennel license is required.

Land Use Application. An application required by a municipality's land use ordinance.

Land Use Authority. A person, board, commission, agency, or other body designated by the local legislative body to act upon a land use application (City Council and delegated powers to the Planning Commission).

Land Use Ordinance. A planning, zoning, development, or subdivision ordinance of the municipality, but does not include the general plan.

Legislative Body. The Fountain Green City Council.

Lot. A parcel of land occupied or to be occupied by a main building or group of buildings (main and accessory), together with such yards, open spaces, lot width, and lot area as are required by this ordinance and having frontage upon a street.

Corner Lot. A lot situated at the intersection of two streets, the interior angle of such intersection does not exceed 135°. A corner lot fronts two streets.

Lot Coverage. The percent of the total site area covered by structures or impervious paving other than those accepted in this ordinance.

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Lot Depth. The distance between the front and rear lot lines measured in the main direction of the side lot line. Must be \geq 100 feet for a building lot.

Lot Width. The distance between two side lot lines. A minimum of 90' is required for a building lot. "Frontage".

Manufacturing. Research and development facilities, testing laboratories, and facilities for the production, fabrication, processing, or assembly of goods and products.

Light Manufacturing. The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment entirely within an enclosed structure, and imposing a nearly negligible impact upon the surrounding environment by noise, vibration, smoke, dust, or pollutants.

Medical Clinic. See Professional Building.

Mobile Home. A detached single-family dwelling unit of not less than 30' in length, designed for long-term 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, and ready for occupancy except for connections to utilities and other work. Presectionalized, modular, or prefabricated houses not placed on permanent foundations, shall be regarded as mobile homes and only authorized in mobile home parks.

Mobile Home Park. A residential development in which owners of mobile homes or manufactured housing may rent or lease a lot on which to place their home. Such developments may provide all of the amenities and improvements typical of subdivisions.

Noncomplying Structure. A structure that legally existed before its current zoning designation and because of a zoning change does not conform to the zoning district's development standards.

Nonconforming Sign or Sign Structure. A sign or sign structure or portion thereof lawfully existing prior to May 31, 2005 which does not conform to all height, area, yard spacing, animation, lighting or other regulations prescribed in the zone in which it is located.

Nonconforming Use. A use of a lot or parcel that legally existed on the lot or parcel before its current zoning designation; has been maintained continuously for the preceding twelve months; and does not conform with the zoning regulations that now govern the land.

Open Space. Space reserved in parks, courts, playgrounds, golf courses, and other similar open areas and those areas reserved to meet the density requirements of planned unit development.

Owner occupancy. The case in which a property's owner of record makes such owner's legal residence at the site for at least 200 days per calendar year, as evidenced by voter registration, vehicle registration, driver's license, county assessor records or similar means.

Parcel. An unplatted unit of land described by metes and bounds and designated by the County Recorder's Office with a unique tax identification number.

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Parking Area. An un-enclosed area or lot other than a street used or designed for parking or storage of an automobile or other vehicles of occupants of a dwelling or business with a minimum of 9'x18' allowed for each vehicle.

Person. An individual, corporation, partnership, or incorporated association of individuals such as a club.

Person with a Disability. A person who:

- (a) Has a severe, chronic disability that is attributable to mental or physical impairments, that is likely to continue indefinitely, and that results in a substantial functional limitation in three or more of the following areas of major life activity:
 1. capacity for independent living;
 2. economic self-sufficiency;
 3. learning;
 4. mobility;
 5. receptive and expressive language;
 6. self-care;
 7. self-direction; and
- (b) Requires special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

Planning Commission. The Fountain Green City Planning Commission.

Plat. A map or other graphical representation of lands being laid out and prepared in accordance with Utah Code §10-9-804.

Preliminary Plat. The preliminary drawings of a proposed subdivision, specifying the layout, uses, and restrictions.

Primary dwelling. A single-family dwelling that is occupied as the primary residence of the owner of record.

Professional Building. A place intended for the conduct of a recognized learned profession. Such uses include offices or clinics devoted to treatment and care of human illness or injury (medical, dental, chiropractic offices, massage therapist, and similar uses). Other professions so defined would include, but not be limited to, accountants, architects, engineers, and lawyers. Definition does not allow for in-patient care facilities or adult-oriented businesses.

Property. Any parcel, lot, or tract of land, including improvements thereon, in the possession of or owned by, or recorded as the real property of, the same person or persons.

Frontage. That part of a parcel or lot, which abuts a street. The minimum frontage required for a building lot is 90'.

Public Facilities. Those improved properties owned by the municipality, the public, or other political subdivisions.

Public Hearing. A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

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Public Meeting. A meeting that is required to be open to the public under Utah Title 52, Chapter 4, Open and Public Meetings.

Public Improvement. Any building, water system drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking lot, space or structure, lot improvement, or other facility for which the City may ultimately assume responsibility, or which may effect a City improvement.

Public Services. Uses, which may be housed in separate buildings, or which may occupy a space within a building, that are operated by a unit of government to serve public needs such as police (with jail), fire service, ambulance, post office, or judicial court, but not including public utility stations or maintenance facilities

Public Street. A street, including the entire right-of-way, which has been dedicated to and accepted by the City of Fountain Green or other governmental agency or which has been devoted to public use by legal mapping, use or other means.

Public Utility Stations. A structure or facility used by a public or quasi-public agency to store, distribute, generate, or chemically treat water, power, gas, sewage, equipment, or other service elements.

Reasonable Notice. The requirements of reasonable notice are met if notice of hearing or meeting is posted in at least three public places within the jurisdiction and notice of the hearing or meeting is published in a newspaper of general circulation in the jurisdiction and if actual legal notice of the hearing or meeting is given by mail. See Chapter 3.

Recreational Vehicle. A vehicular unit, other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including but not limited to a travel trailer, a camping trailer, a truck camper, a motor home, a fifth-wheel trailer, and a van.

Recreational Vehicle Park (Travel Trailer Park). Any area or tract of land or separately-designated section where lots are rented to one or more owners or users of recreational vehicles for a temporary time.

Residence. See Dwelling.

Residential Facility for Persons with a Disability. A facility that is occupied by eight or less unrelated persons with disabilities on a 24-hour per day basis in a family-type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of and is licensed by the Utah Department of Human Services - Division of Services for People with Disabilities or Health and is operated by or under contract with that department. Such facilities shall not include facilities for the following: secure treatment, inpatient treatment, residential treatment, adult day care, day treatment, comprehensive mental health treatment, comprehensive substance abuse treatment, or domestic violence treatment as defined in 62A-1-16 UCA.

Residential Support. Arranging for or providing the necessities of life as a protective service to individuals or families who are disabled or who are experiencing a dislocation or emergency

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which prevents them from providing these services for themselves or their families. Treatment is not a necessary component of residential support.

Residential Treatment Center. A 24-hour group living environment for three to nine individuals unrelated to the owner or provider that offers room or board and specialized treatment, rehabilitation, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments. For the purposes of this section, Residential Treatment Center shall not include facilities for comprehensive substance abuse treatment or domestic violence treatment as defined in 62A-1-1 16 UCA

Resource Family Home. A home licensed to provide services to a child in the custody of the state and includes a foster care home and a legal risk home.

Right-of-Way. An area of land that is legally described in a registered deed for the provision of public access.

Road Classification. The streets, highways, roads, and rights-of-way designated on the Transportation Master Plan.

Sanitary Sewer Authority. The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

School. An educational facility operated by a public, private or quasi-public organization or individual, which has a program similar to that provided in any public school in the State of Utah, except that such curriculum may include religious instruction. A private school may be a profit-making or nonprofit organization. This definition shall not include commercial schools.

Seasonal Commercial Use. Includes uses such as Farmers' Markets where produce or other items are sold for less than 4 months during the year.

Secure Treatment. 24-hour specialized residential treatment or care for persons whose current functioning is such that they cannot live independently or in a less restrictive environment. Secure treatment differs from residential treatment to the extent that it requires intensive supervision, locked doors, and other security measures which are imposed on residents with neither their consent nor control.

Senior Citizen Center. A government sponsored public building, other than a church or school, serving the social and recreational needs of the elderly. Such a center may include a meeting hall and cooking and dining facilities for large groups but shall not provide overnight lodging.

Setback. The required minimum distance between a building or structure and the closest of the following:

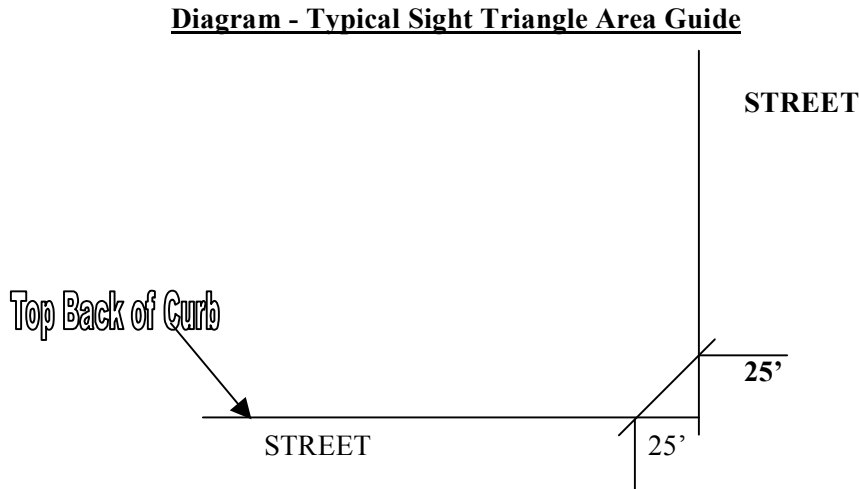
- (a) Property Line; or
- (b) Platted Street; or
- (c) Existing curb or edge of a street or other building.

Short-Term Rental. Any dwelling or portion thereof that is used for accommodations or lodging of guests, paying a fee or other compensation for a period of twenty-nine or fewer consecutive days. Meals are not provided. The owner does not live in the home while renting it. Example: a vacation rental home. NOTE! Including a definition for short-term rentals does not

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mean that the Land Use Ordinance will allow them! **If a use is not listed in the Use Table, it is not allowed.**

Sight Distance Triangle. A triangular area at the intersection of two street rights-of-way and a line connecting them at points 25' from the intersection of the two street rights-of-way.



Sign. Any words, letters, parts of letters, figures, numerals, phrases, sentences, emblems, devices, trade names or trade marks, by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a commodity, or product which are visible from any public way. Sign shall also include the sign structure supports, lighting system and any attachments, ornaments or other features intended to draw the attention of observers.

Single Family Dwelling/Residence. Any residence (including manufactured and modular homes) with a main level living area of not less than 24' in width and not less than 960 sq.ft. in area, in which a traditional or functional family lives. **No more than 4 of the people may be unrelated.**

Slope. The level of inclination of land from the horizontal plane determined by dividing the horizontal run, or distance, of the land into the vertical rise, or distance, of the same land and converting the resulting figure to a percentage value.

Store, Retail and Service. Commercial establishment selling foods and/or services except Adult-Oriented businesses.

Stream. A naturally fed watercourse, that flows year-round or intermittently during years of normal rainfall. This definition excludes ditches and canals constructed for irrigation and drainage purposes.

Street. A private or public right-of-way, highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easements, and other ways.

Street, Collector. A street that provides for a high volume of traffic movement between major arterials and local streets, and direct access to abutting property. Usual ADT range is 1,000-3,000 vehicles.

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Street, Public. A street that has been dedicated to and accepted by the City Council; that the City has acquired and accepted by prescriptive right; or that the City owns in fee. A public thoroughfare, which affords principal, means of access to abutting property and has a right-of-way that exceeds 26 feet in width. The term street shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term.

Structure. Anything constructed, the use of which requires a fixed location on or in the ground, or attached to something having a fixed location on the ground and which imposes an impervious material on or above the ground; definition includes "Building" and "Auxiliary Building 200 sq.ft. or more".

Subdivision. Any land, vacant or improved, which is divided or proposed to be divided into two or more lots, parcels, site, 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 residential and nonresidential zoned land, whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument. "Subdivision" does not include:

- (a) A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable zoning ordinance;
- (b) A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 1. No new lot is created; and
 2. The adjustment does not result in a violation of applicable zoning ordinances; or
 3. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property.
- (c) The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under State law as to the unsubdivided parcel of property or subject the unsubdivided parcel to the subdivision ordinance.

Subdivision Plat. The final map or drawing, on which the applicant's plan of subdivision is presented to the City Council for approval and which, if approved, may be submitted to the County Recorder for filing.

Survey Map. A graphic illustration of a survey of land prepared in accordance with state laws and recorded in owner's name.

Telecommunications Facility. A telecommunications facility of less than 35' in height consisting of antenna, equipment shelters, and related structures used for transmitting and/or receiving telecommunications and/or radio stations.

Temporary. Any structure without permanent anchors or a foundation measuring 200 sq.ft. or more that is used for 6 months or less. This applies to shipping containers, "Tuff" Sheds, tarp-covered carports, etc.

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Travel Trailer. (See Recreational Vehicle.)

Transportation Plan. As adopted by the City Council, the designation of each existing and planned street and right-of-way, and those located on approved and filed plats, for the purpose of providing for the development of the streets, highways, roads, and rights-of-way and for their future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks. The classification of each street and right-of-way is based upon its location in the respective zoning district of the City, its present and estimated future traffic volume and its relative importance and function.

Travel Park. (See Recreational Vehicle Park.)

Unincorporated. The area outside of the incorporated boundaries of cities and towns

Use. The activities occurring on a lot or parcel of land for which land or a building is arranged, designed, or intended or for which land or a building is or may be occupied, including all accessory uses.

Variance. A reasonable deviation from those provisions regulating the size or area of a lot or parcel of land, or the size, area bulk or location of a building or structure. This is a modification granted by the Board of Adjustment to a development standard with a finding of hardship. See Chapter 5.

Youth Home. A 24-hour group living environment for no more than six persons under the age of 18, unrelated to an owner or operator that offers room, board or specialized services to residents. Youth Home may include facilities for the following: resource family home, child placement, or residential support as defined in Chapter 62A UCA. Youth Home shall not include facilities for the following: secure treatment, inpatient treatment, residential treatment, adult day care, day treatment, comprehensive mental health treatment, youth program, comprehensive substance abuse treatment, or domestic violence treatment as defined in 62A UCA. See Chapter 9.

Zones. A portion of the incorporated territory of Fountain Green City exclusive of streets, alleys and other public ways, which has been given a zone designation which provides for certain uses of the land, premises and buildings and within which certain yards and open spaces are required and certain height and other limitations are established for buildings; all as set forth and specified in this title.

- (a) Residential/Agriculture
- (b) Business/Commercial
- (c) Sensitive Lands
- (d) Public Facilities

Zoning Map. The map adopted by the City Council pursuant to law showing the streets, zoning districts, and City boundaries; and any amendments or additions thereto resulting from the approval of rezones, subdivision or annexation plats and the subsequent filing of such approved plats.