

## **ARTICLE II**

### **INTERPRETATION AND DEFINITIONS**

#### **SECTION 200 INTERPRETATION**

For the purpose of this Resolution certain words and phrases used herein shall be defined or interpreted as follows:

1. Words used in the present tense include the future.
2. The word "person" includes a corporation as well as an individual.
3. The word "lot" includes "plot" or "parcel".
4. The word "shall" is mandatory.
5. "Occupied" or "used" shall be construed to also include "intended, arranged or designed to be occupied or used".

#### **SECTION 205 DEFINITIONS**

1. **Accessory Building:** An auxiliary building or portion of a principal building, the use of which is incidental to that of the principal building. (Garage or building designed to contain garden equipment, etc.)
2. **Accessory Use:** A use customarily incidental and subordinate to the principal use.
3. **Agriculture:** The science or art of cultivating the soil, producing crops, and raising livestock or poultry.
4. **Alley:** A secondary public right-of-way upon which the rear of building lots generally abut and which is normally employed for service purposes only.
5. **Bed & Breakfast Inn:** A single-family dwelling that is maintained and operated by the property owner for the purpose of providing lodging and meals for compensation.
6. **Boarding House, Rooming House or Dormitory:** A building, other than a motel or hotel, where lodging or meals or both for 6 or more persons are provided for compensation.
7. **Building:** Any structure used or intended for supporting or sheltering and use or occupancy.
8. **Building Height:** The vertical distance measured from the grade line of the building to the highest point of the roof surface, if a flat roof; to the deck line, if a mansard roof; and to the average height level between eaves and ridge, if gable, hip, or gambrel.
9. **Club:** Any membership organization, including a lodge, catering exclusively to members and their guests and whose facilities are limited to meeting, eating and recreational uses and, further, whose activities are not conducted principally for monetary gain.
10. **Country Club:** A club operated in connection with outdoor recreational facilities.
11. **Conditional Use:** A use of land which is permitted in a particular zoning district only after review by the Planning Commission and approval by the County Commissioners to assure that it meets the criteria as outlined in Section 405.3, and which may have specific requirements, including time limitation and periodic review, as determined by the Planning Commission and the Board of County Commissioners.
12. **Dwelling:** A building designed or used as living quarters for one or more persons or families, but not including motels, hotels or boarding houses.
13. **Dwelling Unit:** A building or portion thereof providing complete housekeeping facilities for one person or one family. (Example: a duplex is a dwelling containing 2 dwelling units.)
14. **Family:** One or more individuals occupying a dwelling unit and living as a single housekeeping unit, but not a group of more than 5 unrelated persons.

- 15. Floodplain:** An area of special flood hazard, as defined in the Floodplain Regulations for Moffat County.
- 16. Floor Area:** For the purposes of this resolution, the sum of all the roofed-over floor area of a building, measured from its exterior walls.
- 17. Garage, Commercial Parking:** A lot of structure where motor vehicles are parked or stored for remuneration, hire or sale.
- 18. Garage, Private:** An accessory building or buildings on the same lot as a dwelling or dwellings, used for the storage of motor vehicles, also including carports.
- 19. Garage, Service and Repair:** A building used for the maintenance, repair, or equipment of motor vehicles for remuneration.
- 20. Home Occupation:** Any use conducted within a dwelling or accessory building and carried on by the inhabitants thereof for monetary gain. (Amended 8/31/84)
- 21. Junk Yard:** A building, structure, or parcel of land or portion thereof, used for the collection of storage of waste paper, rags, scrap metal, wood, or other discarded material, or for the collecting, dismantling, storage, salvaging or demolition of vehicles, machinery or other materials, for retail or wholesale sale of the whole or parts thereof. (Amended 4/19/85)
- 22. Kennel:** A building, structure or open space devoted wholly or partly to the raising, boarding or harboring of 6 or more cats or dogs that are over 6 months old.
- 23. Loading Space:** A parking place other than a public street for the parking of commercial vehicles for the purpose of loading or unloading materials or merchandise.
- 24. Lot:** Land occupied or designed to be occupied by a building, its secondary buildings and such unoccupied areas as are required under this Resolution, and having its principal frontage on a street, court or officially approved principal thoroughfare. A lot facing on an alley only shall not be employed as a location for dwellings.
- 25. Lot, Corner:** A lot bordered on 2 adjacent sides by a street or streets whose turning angle or angle of intersection is less than 135 degrees.
- 26. Lot, Interior:** A lot other than a corner lot.
- 27. Mineral Resource:** An inanimate constituent of the earth in either solid, liquid or gaseous state which, when extracted from the earth, is usable in its natural form or is capable of conversion into usable form as a metal, metallic compound, a chemical, an energy source, or a raw material for manufacturing or construction material. The definition includes the following:

## **METALLICS**

### **Precious and base-metals:**

Gold  
Silver  
Copper  
Lead  
Zinc

### **Ferrous Metals:**

Iron  
Manganese  
Molybdenum  
Tungsten  
Vanadium

### **Miscellaneous:**

Beryllium  
Cobalt  
Nickel  
Niobium  
Tantalum  
Thorium  
Titanium  
Uranium  
Zirconium  
Rare earths

### **Smelter By-Products:**

Antimony  
Arsenic  
Bismuth  
Cadmium  
Selenium  
Tellurium  
Tin

## NON-METALLICS

### **Construction Materials:**

Gravel  
Sand  
Limestone  
Dolomite  
Sandstone  
Alabaster  
Travertine  
Quartzite  
Gneiss  
Marble  
Granite  
Volcanic rock

### **Industrial Materials:**

Abrasives  
Barite  
Feldspar  
Flourite  
Frac sand  
Gemstones  
Graphite  
Gypsum/Anhydrite  
Kaolin  
Limestone  
Mica  
Pegmatite Minerals  
Peat  
Perlite  
Pyrite  
Quartz  
Silica sand  
Sulfur  
Vermiculite  
Volcanic ash

### **Lightweight Aggregate:**

Perlite  
Pumice  
Scoria  
Welded tuff  
Vermiculite  
Shale  
Blast-furnace slag  
Fly ash cinders

### **Clay:**

Fire clay  
Brick & tile clay  
Pottery clay  
Refractory clay  
Bentonite

### **Evaporites:**

Salt (halite)  
Potash minerals  
Gypsum

### **Gases:**

Helium  
Carbon dioxide

## MINERAL FUELS AND ASSOCIATED RESOURCES

Coal  
Oil  
Natural Gas  
Oil Shale  
Rock Asphalt  
Asphaltic Bitumens  
Uranium  
Peat

28. **Mobile Home:** A factory assembled structure, larger than 8' x 35', equipped with the necessary service connections and constructed to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit, whether or not running gear has been removed.
29. **Mobile Home Park:** A mobile home park shall consist of 5 or more mobile homes located on a minimum of 5 acres and developed in accordance with Moffat County Subdivision Regulations for mobile home parks and the Colorado Department of Health sanitary standards and regulations for mobile home parks. (Amended 8/18/83)

- 30. Mobile Home Subdivision:** An area of land subdivided for the placement of mobile homes in accordance with Moffat County Subdivision Regulations.
- 31. Multi-Family Residence:** A building or buildings designed and used for occupancy by 3 or more families, all living independently of each other and having separate kitchen and toilet facilities for each family; ie., apartment, condominium, or townhouse.
- 32. Multi-Family Resident/Communal:** A building or buildings designed and used for occupancy by 3 or more families and having common kitchen and/or toilet facilities.
- 33. Natural Resource:** Any animate or inanimate object on or within the crust of the earth, or in the atmosphere of the earth, that has aesthetic or economic value.
- 34. Non-Conforming:** Failing to conform to one or more of the requirements of this Resolution.
- 35. Non-Conforming Use:** A use or activity which was lawful prior to the adoption, revision or amendment of this Zoning Resolution, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district. (Amended 8/18/83)
- 36. Open Space:** An area intended to be unoccupied and unobstructed by building from the ground upward and excluding parking areas and streets.
- 37. Parking Area:** An open area or an enclosed structure or building used exclusively for the temporary storage of motor vehicles.
- 38. Parking Space:** That part of an area, exclusive of drives, turning areas or loading spaces, devoted to parking for one motor vehicle.
- 39. Parking, Off-Street:** The area on private or public property designated to accommodate a parked motor vehicle and/or recreational vehicle, with adequate access to a public street.
- 40. Planned Unit Development (PUD):** An area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational or industrial uses, or a combination of the foregoing, the plan for which may vary in lot size, bulk, type of use, lot coverage, open space or other restriction from the existing land use regulations, except as related to density standards.
- 41. Predominant Setback:** A setback line established on the basis of the average of existing front yard setbacks within a block frontage.
- 42. Public Building:** Any building open to the general use, participation or enjoyment of the public and owned by a municipality, county, state or federal government or any subdivision thereof.
- 43. Public Safety Facilities:** Fire, police and rescue stations, etc.
- 44. Public Utility:** For the purpose of this Resolution; Transportation, transmission, distribution, and communication facilities or systems, and associated facilities or systems.
- 45. Reclamation:** The employment, during and after the exploration for, development of, or transportation of a mineral or natural resource, of procedures reasonably designed to minimize as much as practical the disruption from the operation, and to provide for the rehabilitation of any surface resources adversely affected by the operation through the rehabilitation of plant cover, soil stability, water resources and other measures appropriate to the subsequent beneficial use of such reclaimed land, the result of which shall be that the affected area, and the adjacent area, are restored to a stable condition capable of supporting the use or uses which they were capable of supporting prior to the operation or an equivalent use suitable to the locality.
- 46. Seat:** An individual chair designed to seat one person, or part of a bench designed to seat one person, but measuring at least 18 inches in width.
- 47. Setback Line:** A line parallel to the property line beyond which no exposed portion of a building, including porches, decks and eaves, may extend, but excluding steps. Enclosed steps are not permitted within a side yard setback.
- 48. Sewage Disposal System, Community:** A system for the collection, treatment and disposal of sewage with a design capacity of 2,000 gallons or more per day, whether owned and operated by a municipality, district or owner's association.
- 49. Sewage Disposal System, Individual:** A system for the collection, treatment and disposal of sewage with a design capacity of less than 2,000 gallons per day.

- 50. Sign and Outdoor Advertising Device:** An object or device which is used for the primary purpose of conveying a message by means of letters, numbers, figures, symbols, colors or other similar means.
- 51. Single Family Residence:** A detached building designed or used exclusively for the occupancy of one family, and having kitchen and toilet facilities for only one family. Includes site-built and modular homes. May include a zero-lot-line development with appropriate subdivision development standards. (Amended 2/29/84) Also includes manufactured homes which are partly or entirely manufactured in a factory, are not less than 24 feet in width and 36 feet in length, which are installed on an engineered permanent foundation, have brick, wood or cosmetically equivalent exterior siding and a pitched roof, and are certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974".(Amended 12/31/84)
- 52. Single Family Residence/Attached:** A building designed or used exclusively for the occupancy of two families living independently of each other, and having separate kitchen and toilet facilities for each family; i.e., duplex or patio home. Includes site-built and modular homes. (Amended 2/29/84)
- 53. Solar Collector:** For the purpose of this Resolution; Solar collector, heat pump, storage facilities and distribution components for space heating and cooling and water heating, whether attached or unattached to a structure.
- 54. Street:** Any street, avenue, boulevard, road, lane, parkway, viaduct or other way for the movement of vehicular traffic, and including the land between street lines, whether improved or unimproved, and which may comprise pavement, shoulders, gutter, sidewalks, parking areas and other areas within the right-of-way.
- 55. Street, Principal:** A street on which the lots of a block or subdivision generally face.
- 56. Street, Side:** A street intersecting a principal street.
- 57. Structure:** An assembly of materials forming a construction and including among others: Buildings,
- 58.** dwellings, stadiums, tents, reviewing stands, platforms, stagings, observation towers, radio and television towers, and display signs.
- 59. Temporary:** Twelve months or less.
- 60. Travel Trailer:** Any vehicle, 8' x 35' or less, self-propelled or towed by or on another vehicle, designed and used for temporary sleeping or dwelling purposes or for leisure time activities, including truck campers, camping vans, vacation trailer houses, boat trailers and tent trailers.
- 61. Travel Trailer Park:** Any area used to park 2 or more travel trailers for purposes of rental space, developed in accordance with Moffat County Subdivision Regulations. The purpose for which any land, structure or building is designed, maintained or occupied.
- 62. Use-By-Right:** Any use listed as a principal permitted use in these regulations in any given zone or district.
- 63. Water System, Community:** A system for the collection, treatment, storage, and distribution of potable water to serve 4 or more dwellings or 2 or more commercial buildings, whether owned and operated by a municipality, district or owner's association.
- 64. Water System, Individual:** A system for the collection, storage and distribution of potable water to serve no more than 3 dwellings or 1 commercial building.
- 65. Yard:** The space on the same lot as a building or structure that is unoccupied and open to the sky.