

Chapter 2

DEFINITIONS

11-2-1: DEFINITIONS:

For the purpose of this title, the following definitions shall apply:

EASEMENT: The quantity of land set aside or over which a liberty, privilege or advantage in land, without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

FINAL PLAT: A map or chart of the land division which has been accurately surveyed and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified.

INTERVENING PROPERTY: Property located between the service utility and the property under development.

MAJOR STREETS: A street existing or proposed, which serves or is intended to serve as a major trafficway and is designated as a collector or arterial street on the city master plan.

METES AND BOUNDS: The description of a lot or parcel of land by courses and distances.

MINOR STREETS: A street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves, or is intended to serve, the local needs of the neighborhood.

OFF SITE FACILITIES: Facilities designed or located so as to serve other property outside of the boundaries of the subdivision, usually lying between the development and existing facilities.

ON SITE FACILITIES: Facilities installed within or on the perimeter of the subdivision.

OVER SIZE FACILITIES: Facilities with added capacity designed to serve other property, in addition to the land within the boundaries of the subdivision.

PRELIMINARY PLAN: A map or chart of a proposed land division.

SUBDIVIDER: Any person laying out or making a land division for the purpose of first sale, or first selling for himself or others, a subdivision or any part thereof.

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

upon any and all other plans, terms, and conditions.

B. "Subdivision" includes:

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

C. "Subdivision" does not include:

1. 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;
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 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.

D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" under this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to this title.

VICINITY PLAN: A map or chart showing the relationship of streets within a proposed subdivision to streets in the surrounding area. (Ord. 6-18-81C, 6-18-1981; amd. 2003 Code)

