

ARTICLE II DEFINITIONS

Section 2.01 Interpretation

For the purpose of this Code, certain terms and words are to be defined as found in this Article. Words and terms not specifically defined carry their customarily understood meanings. The word “shall” is mandatory; the word “may” is permissive.

Section 2.02 Definitions

"Average Daily Traffic" or "ADT" means the average number of vehicles that pass over a given point in the street or highway during a single twenty-four (24) hour period.

"Alley" means a permanent public right-of-way providing secondary access to abutting property.

“Bond” means cash deposit, surety, bond, collateral, or other instrument of credit satisfactory to the City of Greenville for performance of the obligations of this Ordinance.

"Block" means the property abutting one side of a street, and lying between two (2) consecutive intersecting streets.

“Building Setback” means a line parallel to and at a fixed distance from the street, the purpose of which is to establish the minimum distance from a building to the street right-of-way line.

"City" means the City of Greenville, Ohio.

"*City Standard Plans and Specifications*" means the engineering drawings and standards as adopted by the City of Greenville in Ordinance 76-109, as may be subsequently amended.

“City Engineer” means the City Engineer of the City of Greenville, or his/her duly authorized agent

"Commission" means the Planning and Zoning Commission of the City of Greenville, Ohio.

“Concept plan” means a sketch or drawing prepared by the Owner/ Developer prior to the preliminary plan, which shows the general outline and layout of the proposed subdivision.

"Cul-de-sac" (see "Street")

“Driveway” means a private road giving access from a street to a detached single family dwelling on abutting ground or to one (1) or more multi-family, commercial or industrial buildings.

“Easement” means a right or privilege of use of land, as distinct from fee simple ownership.

"Floodway" means the portion of land subject to flooding that comprises the channel of a

watercourse, and the adjacent lands, that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

"Floodway fringe" means that portion of land subject to flooding that is outside the floodway.

"Improvements" mean any addition to the natural state of land which increases its value or utility, including buildings, street pavements, sidewalks, crosswalks, water mains, sanitary sewers, storm sewers, landscaping, street lighting, street trees, public utilities, paved parking areas and other appropriate items.

A. "Site improvements" mean the improvements made to the land outside the exterior limits of a structure or structures.

B. "Public improvements" mean all improvements financed entirely or in part by public funds or which have been dedicated to public use by plat, easement or deed of transfer.

"Land subject to flooding" means those lands adjacent to a watercourse subject to flooding as have been identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "Flood Insurance Study for the City of Greenville," and referenced in Chapter 1450 of the Codified Ordinances of the City of Greenville.

"Lot" means a plot, parcel or area of land of sufficient size to provide yards and applicable setbacks as established in the Zoning Ordinance and other requirements. Such lot shall have frontage on an improved public street, or an approved private street.

"Lot of record" means a lot which is part of an existing subdivision, the plat of which has been recorded in the Office of the Recorder of Darke County. "Lot of record" may also mean a parcel or tract of land, the deed of which was of record as of the effective date of this Ordinance.

"Monument" means a permanent concrete or iron marker used to establish the lines of the plat of a subdivision, including all lot corners, boundaries, corners and points of change in street alignment.

"Owner/Developer" means any person proceeding under these regulations to create a subdivision of land hereunder.

"Person" means any individual, corporation, company, business partnership, association or legal entity.

"Plan" means a drawing showing the proportion and relation of parts of improvements to each other and their surroundings.

A. "Construction plan" means a plan which gives information required to construct improvements including plan views, sections, profiles, details, quantities, reference specifications and standard drawings.

B. "Grading plan" means a plan which shows the proposed grades for the development in a manner that reflects the scope of earthwork required and the finished site grades.

C. "Preliminary plan" means a proposal for the subdivision of land as described in Article IV of this Ordinance, submitted to the Planning and Zoning Commission pursuant to these regulations.

"Plat" or "Final Plat" means a plan of a tract or parcel of land made by a surveyor registered in

the State of Ohio showing public dedications, property lines, lot lines and such other information as is required by these regulations.

“Right of way” means a strip of land lying between property lines, wherein is located a street, thoroughfare, alley or easement dedicated or otherwise acquired for use by the public.

“Sidewalk” means a paved path, intended for pedestrian use, lying outside the curb lines or edge of pavement of a roadway.

“Street” means the full width of the right-of-way between two (2) property lines, both paved and unpaved, intended to provide principal means of access to an abutting property. Streets shall be classified as follows:

- A. "Arterial Street" means a street connecting Greenville with outside activity centers and/or serving as the primary routes through and within the City. Arterial streets carry the largest volume of traffic - over 10,000 vehicles per day ADT - usually on a continuous route. Service to the adjacent land is subordinate to the provision of travel service on arterial streets.
- B. “Collector Street (Major)” means a thoroughfare which carries vehicular traffic from local streets to arterial streets, and is designed to accommodate 2,000 - 10,000 vehicles per day ADT.
- C. “Collector Street (Minor)” means a thoroughfare which primarily carries vehicular traffic from local streets to major collector and arterial streets, and is designed to accommodate 500-2,000 vehicles per day ADT.
- D. “Cul-de-sac” means a short local street having but one end open for motor traffic and the other end terminated by a vehicular turn-around or back-around.
- E. “Local Street” means a street on which the majority of the traffic originates or terminates in the abutting properties. These streets are designed to accommodate up to 500 vehicles per day ADT at low speeds.
- F. "Industrial Street" means a street on which more than twenty-five percent (25%) of the traffic is comprised of trucks, or where more than fifty percent (50%) of the abutting property is either occupied by industrial uses as permitted in the GI or LIC zoning districts, or is within the GI or LIC districts.
- G. “Private Street” means a strip of privately-owned land providing access to abutting properties.
- H. “Public Street” means a strip of land providing public access to abutting property, as dedicated to the City or Darke County upon a plat which has been duly approved, filed and recorded in the Darke County Recorder's Office.
- I. “Service road” or “access road” means a minor street parallel to a thoroughfare to afford abutting property owners access to the thoroughfare at limited points.

“Subdivision” means:

- the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites and where the lots resulting are not reduced below minimum sizes required by law, shall be exempted; or
- the improvement of one (1) or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any

street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or leaseholders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

"Thoroughfare Plan" means a plan, now or hereafter adopted by the Planning and Zoning Commission, which sets forth the location, alignment and/or classification of existing and proposed streets.

"Variance" means a modification of the strict terms and requirements of this Ordinance where such modification will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of these regulations would result in unnecessary and undue hardship.

"Zoning" or "Zoning Code" means the City regulations limiting the height, area and use of buildings, structures and/or areas.