

## **ARTICLE II DEFINITIONS**

**SECTION 2.0 WORDS AND PHRASES:** For the purpose of these regulations, certain terms, phrases, words, and their derivatives, are herewith defined as follows:

Words used in the future tense include the present;  
Words used in the present tense include the future;  
Words used in the singular form include the plural;  
Words used in the plural form include the singular;  
Words used in the masculine include the feminine;  
Words used in the feminine include the masculine;  
The word "shall" is mandatory;  
The words "may" and "should" are permissive.

**ACCESS POINT:** An access point is:

- (1) A driveway, a local street, a collector street, or subcollector street, intersecting an arterial street;
- (2) A driveway or a local street intersecting a collector street or sub-collector street; or
- (3) A driveway or a local street intersecting a local street.

**AGRICULTURE:** The use of a tract of at least five (5) contiguous acres for the production of agriculture or horticulture crops, including but not limited to livestock products, poultry, poultry products, grain, hay, pastures, soybeans, tobacco, timber, orchard fruits, vegetables, flowers or ornamental plants, including provision for dwellings for person and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.

**ALLEY:** Public right-of-way which normally affords a secondary means of access to abutting property.

**BLOCK:** A parcel of land within a subdivision that is bounded by streets or bounded by streets and the exterior boundary of the subdivision. For this definition, an alley is not considered a street, but part of the block.

**BLOCK LENGTH:** The distance between intersections of through streets, such distance being measured parallel to the longest street bounding the block and from right-of-way line to right-of-way line of the two intersecting streets.

**COMMISSION (OR PLANNING COMMISSION, OR PLANNING AND ZONING COMMISSION):** The Pendleton County Joint Planning Commission, State of Kentucky.

**COMPREHENSIVE PLAN:** The comprehensive plan for Pendleton County, adopted by the Pendleton County Joint Planning Commission. It is a guide for public and private actions and

decisions to assure the development of public and private property in the most appropriate relationships. It shall contain as a minimum, the following elements:

- A. a statement of goals and objectives, principles, policies, and standards;
- B. a land use plan element;
- C. a transportation plan element;
- D. a community facilities plan element;
- E. may include any additional elements, such as, without being limited to: community renewal, housing, flood control, pollution, conservation, natural resources, regional impact and others.

**DEVELOPER:** Synonymous with the term "subdivider".

**EASEMENT:** A right, distinct from the ownership of the land, to cross property with facilities such as, but not limited to, sewer lines, water lines, and transmission lines, or the right, distinct from the ownership of the land, to reserve and hold an area for drainage or access purposes.

**ENGINEER:** A qualified registered professional engineer in good standing with the Kentucky Board of Registration for Professional Engineers and Land Surveyors.

**FINAL PLAT:** A subdivision plat proposed in accordance with the provisions herein in which said plat is designated to be placed on record with the county clerk after approval by the planning commission's duly authorized representative and signed by the chairman for other officers of the planning commission.

**FLOOD:** A general and temporary condition of partial or complete inundation of normally dry land areas from: (a) the overflow of inland waters; (b) the unusual and rapid accumulation of runoff of surface waters from any source; and (c) mudslides (i.e., mudflows) which are proximately caused or precipitated by accumulations of water on or under the ground.

**FLOOD - 100-YEAR FREQUENCY:** The highest level of flooding that, on the average, is likely to occur once every 100 years.

**FLOOD PLAIN OR FLOOD PRONE AREA:** Any normally dry land area that is susceptible to being inundated by water from any source.

**FLOODWAY:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.

**FRONTAGE LOT:** All the property abutting on one side of the right-of-way of a street, measured along the right-of-way line of the street between the intersecting lot lines. In no case shall the line along an alley be considered as acceptable for frontage.

**FRONT YARD DEPTH:** The minimum distance required to be maintained within the lot between a line parallel to the front lot line, as defined herein, and the front lot line.

**IMPROVEMENT PLANS:** The engineering plans showing design layout, types of materials and construction details for the physical structures and facilities to be installed in, or in conjunction with, the subdivision.

**INSPECTOR:** The planning commission's duly authorized representative, whose responsibility it is to inspect, or cause to be inspected, items required by these regulations.

**PENDLETON COUNTY:** Refers to both the incorporated and unincorporated areas of Pendleton County, State of Kentucky.

**LOT:** A parcel of land or any combination of several lots of record, occupied or intended to be occupied by a principal building or a building group.

**LOT OF RECORD:** Except as otherwise defined by state statutes, a lot, parcel or tract of land designated on a plat, survey or deed, recorded by the office of the county clerk.

**LOT AREA:** The total area of a horizontal plane bounded by the front, side, and rear lot lines, but not including any area occupied by street, alley, or railroad rights-of-way.

**LOT, CORNER:** A corner lot is a lot situated at the intersection of two streets or on a curved street on which the interior angle of such intersection or curved street does not exceed one hundred thirty-five (135) degrees.

**LOT, DEPTH OF:** The distance measured in the mean direction of the side lot lines from the midpoint of the front lot lines to the midpoint of the rear lot lines.

**LOT DIVISION (A.K.A. SUBDIVISION) :** The division of a parcel of land into three (3) or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision (as defined herein).

**LOT, DOUBLE FRONTAGE:** A lot other than a corner lot that has frontage on more than one street.

**LOT, INTERIOR:** A lot other than a corner lot with only one frontage on a deeded and occupied public right-of-way.

**LOT LINE, FRONT:** The common boundary line of a lot and a street right-of-way line. In the case of a corner lot or a double frontage lot, the common boundary line and that street right-of-way line toward which the principal or usual entrance to the main building faces.

**LOT LINE, REAR:** The boundary line of a lot which is most nearly opposite the front lot line of such lot. In the case of a triangular or wedge shaped lot, for measurement purposes only, a line ten (10) feet in length within the lot parallel to and at the maximum distance from the front lot line. In the case of a corner lot, providing that all requirements for yard space are complied with, the owner may choose either side not abutting a street as the rear lot line, even though it is not

opposite the front lot line. Once the choice has been made, it cannot be changed unless all requirements for yard space can be complied with.

**LOT LINE, SIDE:** Any boundary line of a lot, other than a front lot line or rear lot line.

**LOT WIDTH:** The width of the lot as measured along the building front setback line.

**OFFICIAL MAP:** The adopted official map of the applicable legislative body or fiscal court, as provided for in the Kentucky Revised Statutes, Chapter 100.

**PRELIMINARY PLAT:** A tentative plat of a proposed subdivision prepared in accordance with the provisions herein for presentation to the planning commission for its action.

**RESUBDIVISION:** Any change in a map of an approved or recorded subdivision plat that affects any street layout on the map or area reserved therein for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

**RIGHT-OF-WAY:** A general term denoting land, property, or interest therein, usually in a strip and dedicated for or devoted to such uses as a street, alley, or railroad.

**STREETS:** A vehicular way herein defined:

**STREET, PRIVATE:** A roadway, constructed to public street standards, which affords access to abutting property for private users of such property.

**STREET, PUBLIC:** A public roadway, constructed within the boundaries of an officially dedicated public right-of-way, which affords principal means of access to abutting property.

**STREET, ARTERIAL:** Public thoroughfares which serve the major movements of traffic within and through the community.

**STREET, COLLECTOR:** Public thoroughfares which serve to collect and distribute traffic primarily from subcollector to arterial streets.

**STREET, CUL-DE-SAC OR COURT:** A street having an outlet at one end only and having the other end permanently closed with facilities permitting vehicles to turn around.

**STREET, DEAD-END:** A street having an outlet at one end only and terminated at the other end by undeveloped property. It may or may not have facilities permitting vehicles to turn around.

**STREET, EXPRESSWAY:** A divided arterial highway for through traffic with full or partial control of access and generally with grade separations at major intersections.

**STREET, FREEWAY:** A divided multi-lane highway for through traffic with all crossroads separated in grades and with full control of access.

**STREET, FRONTAGE ROAD (SERVICE OR ACCESS ROAD):** A street adjacent to a freeway, expressway, or arterial street separated therefrom by a dividing strip and providing access to abutting properties.

**STREET, LOCAL:** Roadways which are designed to be used primarily for direct access to abutting properties.

**STREET, SUBCOLLECTOR:** A street designed to provide a traffic route from local to collector streets.

**SUBDIVIDER:** Any individual, firm, association, syndicate, co-partnership, corporation, trust, governmental agency, or any other legal entity commencing proceedings under these regulations, to create a subdivision of land as defined herein for himself or for another.

**SUBDIVISION (A.K.A. LOT DIVISION):** The division of a parcel of land into three (3) or more lots or parcels for the purpose, whether immediate or future, of sale, lease, or building development, or if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural use and not involving a new street shall not be deemed a subdivision. The term includes resubdivision (as defined herein).

**SURVEYOR:** A qualified registered land surveyor in good standing with the Kentucky Board of Registration.

**TRACT:** A parcel of land identified by letter or number, the boundaries of which are shown on the recorded subdivision plat.

**WATERCOURSE:** A permanent channel designed to carry concentrated stormwater flows without erosion; applicable to open channels, roadside ditches and natural channels that are modified to accommodate increased flows generated by land development.