

## NOTICE

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**TITLE THREE – SUBDIVISION REGULATIONS**

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**CHAPTER 1105  
DEFINITIONS**

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**CROSS REFERENCES**

Street defined – see Traffic 402.43

Zoning definitions – see Planning & Zoning, Chapter 1133. 1157

**SECTION 1105.01 ALLEYS.**

“Alleys” means minor ways, twenty feet or less in width and dedicated to public use, which are used primarily for vehicular access to the back or side of properties which otherwise abut on streets. (Ord. 1009-62. Passed 9-11-62.)

**SECTION 1105.02 ARTERIAL STREETS AND THOROUGHFARES.**

“Arterial streets” and “thoroughfares” means major traffic ways used primarily for fast and heavy traffic. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.03 BLOCK**

“Block” means a piece or parcel of land entirely surrounded by public highways, streets, streams, railroad rights of way or parks, etc., or a combination thereof. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.04 CITY CLERK.**

“City Clerk” means the Municipal Clerk of the City. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.05 COLLECTOR STREETS.**

“Collector streets” means streets which carry traffic from minor streets to the major system of arterial streets and thoroughfares, including the principal entrance streets of a residential development and streets for circulation therein. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.06 COMMISSION.**

“Commission” means the Planning Commission of the City. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.07 CUL-DE-SAC.**

“Cul-de-sac” means a dead-end street with turn-around facility. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.08 ENGINEER.**

“Engineer” means the City Engineer. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.09 LOT.**

“Lot” means a plot, parcel or tract of land occupied or proposed to be occupied by a building or an integrated group of buildings and uses customarily incident and accessory thereto, including at least such open spaces as are arranged and designed to be used in connection with such building and having its principal frontage on a street or place. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.10 MARGINAL ACCESS STREETS.**

“Marginal access streets” means minor streets which are adjacent to and paralleling arterial streets or thoroughfares and which provide access to abutting properties and protection from thorough traffic. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.11 NEIGHBORHOOD OR MINOR STREETS.**

“Neighborhood” or “minor streets” means streets used primarily to provide access to abutting properties. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.12 NUMBER.**

The singular number includes the plural and the plural the singular. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.13 OFFICIAL PLAN.**

“Official plan” means any map or plan adopted by the Planning Commission pursuant to the provisions of Ohio R.C. 713.02. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.14 PLANNING DIRECTOR.**

“Planning Director” means the Director of Planning of the City. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.15 SHALL.**

“Shall” is mandatory and not directory. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.16 STREET.**

“Street” means a way for vehicular traffic designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, place, drive or otherwise. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.17 SUBDIVISION.**

“Subdivision” means:

- (a) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two or more parcels, sites or lots, any one of which is less than five 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 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, shall be exempted; or
- (b) The improvement of one 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 the common use by owners, occupants or lease holders. (Revision No. 206; Ord. 3536-92. Passed 01-28-92.)

**SECTION 1105.18 SUBDIVISION REGULATIONS.**

“Subdivision Regulations” and “these Regulations” means Ord. 20A-55, adopted on December 20, 1955, as amended, codified as Title Three of this Planning and Zoning Code. (Ord. 617-58. Passed 10-28-58.)

**SECTION 1105.19 TENSE.**

Words used in the present tense include the future. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.20 UTILITY COMPANIES.**

“Utility companies” means the Dayton Power and Light Company, Ohio Bell Telephone Company, and the County Sanitary Department. (Ord. 20A-55. Passed 12-20-55.)

**SECTION 1105.21 ZONING ORDINANCE.**

“Zoning Ordinance” means Ordinance 2325-71, adopted on August 24, 1971, as amended, codified as Title Five of this Part Eleven – Planning and Zoning Code.

**Legislative History:** Ordinance 20A-55; passed 12-20-55.