

ARTICLE II

DEFINITIONS

SECTION 1. APPLICABILITY: For the purposes of these regulations, certain numbers, abbreviations, and words used herein shall be used, interpreted, and defined as set forth in this Article. Any word or phrase which is defined in this Article, or elsewhere in these regulations, shall have the meaning as so defined whenever the word or phrase is used, unless such definition is expressly limited in its meaning or scope.

SECTION 2. DEFINITIONS: The following words and phrases, when used in these regulations, shall have the meanings respectively ascribed to them:

1. *Access.* The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.
2. *Acre.* Taxable land as identified by the Sumner County Appraiser.
3. *Administrator.* The Sumner County Director of Planning and Zoning.
4. *Agricultural Use.* The use of a tract of land for the raising of crops; animal husbandry, dairying, pasturage, general farming, truck farming, cultivation of field crops; orchards, groves, raising fish, birds or poultry, and accessory uses necessary for the carrying out of farming operations, including structures for storage, processing and sale of products raised on the premises. Agricultural uses shall not include the following:
 - a. The operation or maintenance of greenhouses, nurseries, or hydroponic farms operated at retail.
 - b. Wholesale or retail sales as an accessory use unless the same are permitted by the Sumner County Zoning Regulations.
 - c. The operation or maintenance of a commercial stockyard or feedlot.
5. *Alley.* A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.
6. *Applicant.* The owner or duly designated representative of land proposed to be subdivided, or for which other action has been requested. Consent shall be required from the legal owner of the premises.
7. *Approved Public Sanitary Sewer System:* A sewage disposal plant, main sanitary sewer lines and other lines approved by Sumner County, Kansas, and by the Kansas State Department of Health and Environment.
8. *Approved Public Water System:* Water supply and service lines approved by Sumner County, Kansas, and by the Kansas State Department of Health and Environment.
9. *Area.* The size of a piece of land, usually described in terms of square feet or acres.

10. *Arterial Street.* Any street serving major traffic movements which is designed primarily as a traffic carrier between cities, or between various sections of a city or county, which forms part of a network of through streets, and which provides service and access to abutting properties only as a secondary function.
11. *Block.* A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroads, rights-of-way, shorelines, or boundary lines of municipality.
12. *Bond.* Any form of security including cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to Sumner County. All bonds shall be approved by Sumner County whenever a bond is required by these Regulations.
13. *Building.* Any covered structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind and which is permanently affixed to the land.
14. *Building Setback Line.* A line on a lot indicating the limit beyond which buildings or structures may not be erected or altered, and establishing the minimum open space to be provided. Such line may be more, but not less restrictive than applicable zoning or other regulations.
15. *Collector Road.* Any road designed primarily to gather traffic from local or residential streets and carry it to the arterial system.
16. *Comprehensive Plan.* The adopted Comprehensive Development Plan for Sumner County including modifications, or refinements which may be made, by amendments from time-to-time.
17. *Corner Lot.* A lot abutting upon two or more streets at their intersection.
18. *County.* The Board of County Commissioners of Sumner County, Kansas, or its delegated staff, boards or agencies.
19. *County Attorney.* The County Attorney, or such licensed attorney, designated by the County Attorney or the Governing Body, responsible for the prosecution of all violations of these Regulations in accordance with the provisions contained herein, and as established by law.
20. *County Counselor.* The County Counselor, or such licensed attorney, designated by the County Counselor or the Governing Body, to furnish legal assistance for the administration of these Regulations.
21. *County Engineer.* The County Engineer, or such licensed engineer designated by the County Engineer or Governing Body, to provide engineering assistance in administering these and other Regulations governing areas of normal responsibilities assigned to the County Engineer.
22. *Cul-de-sac.* A local street with only one (1) outlet, and having a circular turnaround for the safe and convenient reversal of traffic movement.
23. *Dead-end Street.* A street having only one (1) outlet.

24. *Developer.* The owner, or any other person, firm, or corporation authorized by the owner, undertaking proceedings under the provisions of these Regulations for the purpose of subdividing land.
25. *Double Frontage.* A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.
26. *Easement.* A grant by a property owner to a specific person(s), or the public, to use land for a specific purpose(s). Also, a right acquired by prescription. Easements should not be construed as access for residential purposes.
27. *Fence.* A freestanding structure of metal, plastic, masonry composition, or wood, or any combination thereof, resting on or partially buried in the ground and rising above ground level, used for confinement, screening, or partition purposes.
28. *Final Plat.* The map, plan, or record of a subdivision and any accompanying materials, as described in these Regulations.
29. *Flag Lots.* A lot, tract, or parcel of land that provides less than the required minimum frontage to a road or street by a narrow strip of land and whose main body of land lies to the rear of the property. Presence of an easement does not remedy the creation of a flag lot. The narrow strip of land must be at least one-hundred (100) feet wide all the way to the main body of land at the rear of the property.
30. *Frontage.*
 - a. *Street Frontage:* All of the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
 - b. *Lot Frontage:* The distance for which the front boundary line of the lot and the right-of-way are coincident.
31. *Frontage Road.* A public or private, marginal access roadway, generally paralleling and contiguous to a street or highway, providing access to abutting properties, and which is designed to promote safety by eliminating unlimited ingress and egress to such street or highway by providing points of access at generally uniformly spaced intervals.
32. *Governing Body.* The Board of County Commissioners of Sumner County, Kansas.
33. *Grade.* The slope of a road, street, or other public way, specified in percent (%).
34. *Improvements.* All facilities constructed or erected by the developer, and/or public entity, within a subdivision to permit and facilitate the use of lots or blocks for a principal residential, commercial, or industrial use.

35. *Local Road.* A road intended to provide access to other roads from individual properties.
36. *Lot.* A portion of a subdivision or other parcel of land intended as a unit of ownership and occupied, or intended to be occupied, by one (1) main building and an accessory building or a complex of buildings, including the open spaces and parking required by these Regulations and/or the Sumner County Zoning Regulations. A lot may be more than one (1) lot of record or may be a metes-and-bounds described tract having its principal frontage upon a street.
37. *Lot Depth.* The distance between the midpoint of the front lot line and the midpoint of the rear lot line.
38. *Lot, Double Frontage.* A lot, two opposite lot lines of which abut upon streets which are more or less parallel.
39. *Lot Line.* The boundary line of a lot.
40. *Lot Split.* The dividing or re-dividing of a lot or lots, in a recorded plat of a subdivision into not more than two tracts which meet the criteria established within these regulations.
41. *Lot Width.* The distance on a horizontal plane between the side lot lines of a lot, measured at right angles to the line establishing the lot depth at the established building setback line.
42. *Major Street.* A street, highway or roadway designated as such on the official major street plan of the Comprehensive Plan.
43. *Marginal Access Streets.* A local street which is parallel with and adjacent to a limited access highway or arterial street, and which provides access to abutting properties and protection from fast through traffic on the limited access highway or arterial street.
44. *Monument.* The device, usually a metallic bar or tube, used to mark and identify the corners in the boundaries of subdivisions or lots.
45. *Open Space.* An area of land or water, or combination thereof, planned for passive or active recreation, but does not include areas utilized for streets, alleys, driveways or private roads, off-street parking, or loading areas, or required front, rear, or side yards.
46. *Owner.* Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to, or sufficient proprietary interest, in a tract of land.
47. *Offset Street.* A continuous street whose centerline is not tangent through an intersection.
48. *Parent Tract:* A tract of land lawfully conforming and in existence prior to July 1, 2006.
49. *Pedestrian Way.* A right-of-way dedicated to public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.
50. *Planning Commission.* The Planning Commission of Sumner County.

51. *Preliminary Plat.* The preliminary drawing or drawings, described in these Regulations, indicating the proposed manner or layout of the subdivision.
52. *Protective Covenants.* Restrictions governing the use of land within a given subdivision placed on the land by the owner at the time of platting.
53. *Re-subdivision.* A change in a map of an approved or recorded subdivision plat if such change affects any street layout shown on such map, any area reserved thereon for public use, or if it affects any map or plan legally recorded prior to the adoption of any Regulations controlling subdivisions. Tract or lot splitting may be allowed as specified within these Regulations.
54. *Right-of-way.* A strip of land dedicated or reserved for use as a public way, which normally includes streets, sidewalks, or other public utility or service area.
55. *Screening.* Decorative fencing, evergreen vegetation, earthen mounds, or a combination of these maintained for the purpose of concealing from view the area behind such structures or evergreen vegetation.
56. *Setback.* The distance between a building and the lot line, or road easement line, whichever provides the desired minimum distance.
57. *Short-form Plat.* A map or drawing of a proposed subdivision containing four (4) lots or less in a form suitable for filing in the Office of the County Register of Deeds, together with necessary affidavits, dedications and acceptances, and containing a complete engineering description (including references to field markers) sufficient to locate on the ground all streets, alleys, blocks, lots and other divisions of the subdivision.
58. *Sidewalk.* A paved walkway located along the side of a street.
59. *Site (Vision) Triangle.* A triangular area at the intersection of streets maintained in such a manner as to provide a safe and open line of vision for drivers of vehicles and pedestrians approaching the intersection. Within the vision triangle, no one shall install, construct, plant, park, or maintain any sign, fence, hedge, shrubbery, tree, natural growth, or other obstruction which would materially impede vision between the heights of two and one-half (2½), and ten (10) feet, above the street level. Such restrictions shall not apply to official traffic signs and signals and utility poles.
60. *Sketch Plan.* A map or plan of a proposed subdivision preparatory to the preparation of the preliminary plan to enable the sub-divider to save time and expense in reaching tentative general agreements by a discussion of the form and objectives of these regulations.
61. *Street.* A right-of-way, other than an alley, dedicated to public use, which provides principal vehicular and pedestrian access to adjacent properties.
62. *Street, Cul-de-sac.* A street having only one outlet and being permanently terminated by a vehicle turn-around at the other end.

63. *Street, Frontage.* A public or private marginal access street generally paralleling and contiguous to any arterial or a collector street designed to promote safety by eliminating unlimited ingress and egress to such arterial or collector street by providing points of access at predetermined and more or less evenly spaced intervals.
64. *Street, Private.* Any street designed for vehicular traffic not dedicated as a public thoroughfare. The County has no maintenance responsibilities for a private street.
65. *Street Width.* The shortest distance between the property lines abutting both sides of a street right-of-way.
66. *Structure.* Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Structures include, but are not limited to: buildings, walls, sheds, towers, and bins.
67. *Subdivide Land.* To partition a parcel of land into two or more parcels, tracts, lots, or sites for the purpose of transfer of ownership or development, whether immediate or future, when such parcel exists as a unit or contiguous units under a single ownership.
68. *Sub-divider.* The owner, or any other person, firm, or corporation, authorized by the owner, undertaking proceedings under the provisions of these regulations for the purpose of subdividing land.
69. *Subdivision.* Any land, vacant or improved, which is divided or proposed to be divided into lots, parcels, sites, units, plots, or interests for the purpose of offering same for sale, lease or development, either on the installment plan, or upon any and all other plans, terms and conditions, including re-subdivision. A subdivision includes the division or development of residential and non-residential zoned land, whether by deed, metes-and-bounds description, map, plat, or other recorded instrument.
70. *Subdivision, Non-residential.* Any subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these Regulations.
71. *Trace or Lot Split.* The dividing or re-dividing of a lot or tract of land are subject to the criteria within these Regulations.
72. *Walkway.* Any pathway, surfaced or otherwise, intended for pedestrian use only.
73. *Zoning Administrator.* The Sumner County Director of Planning and Zoning.