

MILLVILLE CITY CODE
TITLE 16 - SUBDIVISIONS
CHAPTER 16.08 - DEFINITIONS

[16.08.010: TERMS DEFINED](#)

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For the purpose of these regulations, the following terms, phrases, words, and their definitions shall have the meaning given in this Chapter. When inconsistent with the context, words used in the present tense shall include the future and words in the plural shall include the singular. The masculine gender includes the feminine and neuter genders. Words not defined in this Chapter shall have the meaning defined under State law.

ALLEY: A public right of way which affords secondary means of access to abutting property.

ATTORNEY: The person licensed by the state to practice law who has been engaged by the Council.

BLOCK: An area of land within a subdivision that is entirely bounded by streets or a combination of streets, exterior boundary lines of the subdivision and/or bodies of water.

BUILDING: Means and includes all structures of every kind regardless of similarity to buildings.

BUILDING SETBACK: The minimum horizontal distance from the street right of way as prescribed in the zoning ordinance.

BUSINESS DAY: Business days refer to the standard weekdays from Monday through Thursday, excluding all state and federal holidays

CITY: The City of Millville.

CITY ENGINEER: A person licensed as a professional engineer by the state of Utah who is engaged by the Council.

CLERK: The City Clerk of Millville, Utah.

COLLECTOR STREET: A street which serves or is designed to serve as a trafficway for a neighborhood or as a feeder to a major street.

COMMISSION: The duly appointed Planning Commission ("Planning and Zoning Commission" or "P&Z") of the City of Millville.

COMPREHENSIVE MASTER PLAN: A comprehensive development plan, prepared by the commission which indicates the general locations recommended for various functional classes of land uses, places and structures and for general physical development of the City and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein.

CONCEPTUAL PLAN: A conceptual drawing of the proposed development prepared in accordance with the requirements of this title.

COUNCIL: The City Council of the City of Millville.

CUL-DE-SAC: A street or a portion of a street with only one vehicular traffic outlet and a turnaround at the other end.

CULINARY WATER AUTHORITY: The culinary water authority for Millville City will be the City Council.

DEAD END STREET: A street or a portion of a street with only one vehicular traffic outlet and on which traffic cannot continue through.

DEVELOPMENT COORDINATOR: The person duly appointed to administer this title.

DRIVEWAY: A private roadway the use of which is limited to persons residing, employed or otherwise using or visiting the lot on which the roadway is located.

EASEMENT: An interest in land owned by another that entitles its holder to a specific limited use.

FEMA: The Federal Emergency Management Agency.

GENERAL PLAN: See the definition of Comprehensive Master Plan.

HALF STREET: A street designed to provide access to only one side of the right of way.

IMPROVEMENTS (PUBLIC): Work objectives, devices, structures, facilities or utilities required to be constructed or installed in a subdivision. Such improvements may include, but are not limited to:

- A. Water facilities;
- B. Sewer facilities;
- C. Sidewalks;
- D. Curbs and gutters;
- E. Drainage facilities;
- F. Streets;
- G. Trees;
- H. Street signs;
- I. Streetlights;
- J. Traffic control devices;
- K. Safety devices;
- L. Fire hydrants;
- M. Such other facilities or construction required by the subdivision ordinance.

LAND USE AUTHORITY: An individual, board, or commission appointed or employed by a municipality to make land use decisions. "Land Use Authority" includes any appropriately authorized designees.

LAND USE APPLICATION: an application required by the City and submitted by a land use applicant to obtain land use approval; this does not mean an application to enact, amend, or repeal a land use regulation.

LOT: A parcel, place, tract or portion of land designated by metes and bounds, registered land survey, recorder's plat, or other means and separated from other parcels or portions by such description for the purpose of sale, lease, or separation thereof.

LOT, CORNER: "Corner lot" means a lot located at the intersection of two (2) streets, having two (2) adjacent sides abutting streets; the interior angle of the intersection does not exceed one hundred thirty five degrees (135°).

LOT CORNER MONUMENTS: Eighteen (18) to twenty four inch (24") by five-eighths inch ($\frac{5}{8}$ " rebar (#5 rebar) with surveyor's official cap.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line.

LOT LINE: The property line bounding a lot except that where any portion of a lot extends into the right of way or a proposed public right of way, the line of such right of way shall be the lot line.

LOT, THROUGH: "Through lot" means any lot other than a corner lot which abuts more than one street.

LOT WIDTH: The horizontal distance between the side lot lines of the lot measured parallel to the front line of the lot at the front setback line.

MAJOR STREET OR ARTERIAL STREET: A street which serves or is designed to serve heavy flows of traffic between communities and/or other heavy traffic generating areas.

MANUAL OF DESIGN AND CONSTRUCTION STANDARDS: The "Manual Of Design And Construction Standards" are adopted by Millville City by resolution. It consists of design standards, specifications, and standard plans published by the Utah chapter of the American Public Works Association (APWA) along with amendments to these published documents. Part I consists of design standards, part II of amendments to the APWA "Manual Of Standard Specifications", and part III of amendments to the APWA "Manual Of Standard Plans". Parts I, II, and III are contained in one document titled "Millville City Manual Of Design And Construction Standards", and the APWA "Manual Of Standard Specifications And Manual Of Standard Plans" are included by reference. All of these documents are referred to hereafter as "Millville City Manual Of Design And Construction Standards".

MAY: Is permissive.

MINOR STREET: A street intended to serve primarily as an access to abutting properties.

OFFICIAL MAP: The map established by the Council in accordance with state statutes showing streets, highways, and parks and drainage, both existing and proposed. The official map may be a part or parts of the comprehensive master plan.

OWNER: Any individual, firm, association, syndicate, copartnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

PARKWAY: That portion of a street right of way between the curb or curb line and the property line.

PEDESTRIAN WAY: The right of way across or within a block for pedestrian use.

PERSON: An individual, to include both male and female, and shall also extend and be applied to bodies political and corporate and to partnership and corporate, and to partnership and other unincorporated association.

PLAT: An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-9a-603 or §57-8-13 of Utah State Code (as amended).

PLOT: A measured piece or parcel of land within a larger plat.

PRIVATE STREET: A street which is not dedicated for public use.

PROTECTIVE COVENANT: A contract entered into between private parties and constitutes a restriction on the use of all private property within a subdivision for the benefit of the property owners, and to provide protection against undesirable aspects of development which would impair values.

PUBLIC LAND: Land owned and/or operated by a governmental unit, including school districts.

PUBLICATION: An official notice as prescribed by state statutes.

SANITARY USE AUTHORITY: The sanitary use authority for Millville City will be the City Council.

SERVICE STREET: An access street which is generally parallel and adjacent to a major street and provides secondary access to abutting property.

SHALL: Is mandatory.

SITE EVALUATION AND IMPACT ASSESSMENT: A report which describes, by means of a written narrative and maps, a geographical area and evaluates the development impact in terms of existing:

A. Slope;

- B. Soils;
- C. Watercourses;
- D. Water table;
- E. Flood hazard areas;
- F. Geologic hazards;
- G. Vegetative types;
- H. Wildlife;
- I. Wildlife habitat;
- J. Available urban services, i.e., electricity, gas, roads, schools, culinary water, sewage facilities, police and fire protection.

SLOPE CLASS: The City of Millville has made five (5) slope classifications:

Class 1 references slopes less than or equal to twenty percent (20%).

Class 2 references slopes greater than twenty percent (20%) and less than or equal to twenty three percent (23%).

Class 3 references slopes greater than twenty three percent (23%) and less than or equal to twenty seven percent (27%).

Class 4 references slopes greater than twenty seven percent (27%) and less than or equal to thirty percent (30%).

Class 5 references slopes greater than thirty percent (30%).

STREET: A public right of way which affords the primary means of access to abutting property.

STREET PAVEMENT: The asphalt wearing or exposed surface of the roadway used by vehicular traffic.

STREET, PUBLIC: "Public street" means any street which has been dedicated to the City or is otherwise publicly owned by the City, and is improved and constructed to the appropriate standards as required by the subdivision ordinance.

STREET, RIGHT OF WAY: "Right of way street" means any street which has been dedicated to the City, or is otherwise publicly owned by the City, and is unimproved as opposed to a public street which is improved and constructed to subdivision ordinance standards.

STREET WIDTH: The width of the right of way, measured at right angles to the centerlines of the streets.

SUBDIVIDER: Any person, firm, corporation, partnership or association who shall lay out any "subdivision" or part thereof as defined herein.

SUBDIVISION: Any land that is divided, subdivided, or proposed to be divided into two or more lots 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.

A. Subdivision includes:

1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
2. Except as provided below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

B. 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 land use 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;

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;
4. The subdivision of land for and the sale of cemetery lots;
5. The sale of land to the state of Utah, the federal government, or any political subdivision thereof;
6. A road, street, or highway dedication plat; or
7. A deed or easement for a road, street, or highway purpose.

SUBDIVISION, MAJOR: Any subdivision that is not a minor subdivision.

SUBDIVISION, MINOR: Any subdivision resulting in three (3) or fewer buildable parcels where each lot is fronted by a dedicated and improved public street and where the subdivision does not require the construction of any new streets or other major public improvements.

SURVEYOR: A person duly registered as a land surveyor by the state of Utah.

UPDES: The Utah Pollution Discharge Elimination System.

USED FOR: To include the phrases: "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

WATER CONVEYANCE FACILITY: A ditch, canal, flume, pipeline, or other watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline, or other watercourse. "Water conveyance facility" does not mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for culinary or industrial water, or any federal water project facility.

ZONING DISTRICT: An area as prescribed by the adopted zoning ordinance of Millville City. (Ord. 2025-1, 2025: Ord. 2008-4, 2008: Ord. 2002-7 § 1, 2002: Ord. 2002-2 § 3, 2002: Ord. 2000-17 § 3: Ord. 94-3 § 1)