

APPENDIX A

GLOSSARY OF TERMS AND DEFINITIONS

ABUTTING: The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner or corners.

ACCESSORY USE: A use, building, structure, part of a building, or part of a structure which is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot, including a private garage. If a building otherwise qualified as an accessory building is attached to the main building by a common wall or roof, such building shall be considered part of the main building.

ACRE: An area of land containing 43,560 square feet

ALLEY: A public passageway affording a secondary means of access to abutting property and not intended for general traffic circulation.

BASIN, DETENTION: A storm water storage facility which temporarily stores surface runoff and releases it at a controlled rate through a positive outlet. A detention basin and park may be joined to serve both recreational needs and as a water storage facility.

BASIN, DRAINAGE: A geographical area which contributes surface runoff to a particular concentration point. The terms "drainage basin", "tributary area" and "watershed" are used interchangeably.

BASIN, RETENTION: A storm water storage facility which stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event. A retention basin and park may be joined to serve both recreational needs and as a water storage facility.

BERM: An earthen mound, either natural or man-made.

BICYCLE LANE: A paved area located within a street right-of-way and between the curbs which is designated for bicycle or other non-motorized traffic.

BICYCLE TRAIL: A paved or improved surfaced trail, located outside of a street right-of-way, utilized for bicycle, pedestrian or other non-motorized traffic. Public utility maintenance vehicles may be permitted use if joint access is allowed.

BICYCLE WAY: A paved area located within a street right-of-way but not between curbs which is designated for bicycle or other non-motorized traffic.

BLOCK: A piece or parcel of land or group of lots entirely surrounded by public or private streets, streams, washes, parks, or a combination thereof of sufficient magnitude as to interrupt the continuity of development.

BUILDABLE: A lot or parcel that has the area, shape, slope, street frontage, or other attribute in order for a permitted use, based on the lot or parcel's Zoning District, to be developed, without the need for any variance from the Town Zoning Ordinance.

BUILDING SETBACK LINE: A line which separates the buildable area and area in which the primary building or structure, or portion thereof shall be erected, constructed or otherwise established.

CHANNEL: A depression designed to transfer water from one location to another. Channels may be either a component of the natural environment transferring water down stream or man-made to transfer storm water within a development to a storm water retention basin.

CHORD: A straight line joining two points on a curve.

CLUSTER DEVELOPMENT: A development pattern in which uses are grouped together rather than distributed evenly throughout a parcel as in conventional lot-by-lot development.

CONCEPT PLAN: A preliminary development plan or plat used to present an initial proposed development and initiate discussion about the proposal.

COMMISSION: The Planning Commission of the Town of Queen Creek.

CONDITIONAL APPROVAL: An affirmative action by the Commission or Council indicating that approval will be forthcoming with satisfaction of certain specified stipulations.

CONDOMINIUM: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. (The term "condo" may be used in the ordinance.)

CONSERVATION EASEMENT: A conservation easement is an agreement for the protection of open space, historic buildings, archaeological sites, ecologically significant lands, scenic highways and/or hiking, biking and equestrian trails.

CONVENTIONAL DEVELOPMENT: Development other than a Planned Area Development.

COUNCIL: The Town Council of the Town of Queen Creek.

COUNTY: Maricopa County, Arizona and/or Pinal County, Arizona.

DEPARTMENT: The Community Development Department of the Town of Queen Creek which includes the Engineering, Planning Building Safety and Neighborhood Preservation Divisions.

DEVELOPMENT: The utilizations of land for public or private purpose.

DEVELOPMENT MASTER PLAN: A preliminary master plan for the development of large or complicated areas, the platting and development of which is expected in progressive stages. Development Master Plans shall be subject to Commission recommendation and Council approval.

DIVISION: The Planning Division of the Community Development Department of the Town of Queen Creek

EASEMENT: A grant by the owner of the use of land by the public, a corporation, or person for the specific uses and purposes designated.

EASEMENT, AVIGATION: A grant by a property owner of an easement for avigation purposes over and across the land in connection with flights of predetermined heights above the surface to an infinite height above the same, which easement shall hold the Town, public and airport harmless from any damage caused by noise, vibration, fumes, dust, fuel, fuel particles or other effects that may be caused by the operators of aircraft taking off, landing or operating above the predetermined minimum height not including the physical impact of aircraft or parts thereon.

EASEMENT, CONTROLLED VEHICULAR ACCESS: An easement limiting vehicular access to a site from a street to those controlled access points approved by the Town Council or Town Engineering Manager.

EASEMENT, DRAINAGE: An area designate and used for the conveyance or retention in which nothing can be placed which will impede, divert or cause the runoff to have an adverse affect on adjoining property.

EASEMENT, PUBLIC UTILITY AND FACILITIES: An easement for the installation of facilities, underground or overhead, furnished for the use of the public; including electricity, gas, communication, water, storm water, sewage, sidewalks, landscaping, traffic signals, street lights, flood control, etc. owned and operated by any person, firm, corporation, municipal department or board, duly authorized by State or municipal regulations. Utility and utilities as used herein may also refer to such persons, firms, corporations, departments or boards.

EASEMENT, USE AND BENEFIT: A grant to an adjacent lot for ingress and egress for the purpose of repair, maintenance, drainage and improvement of any of the abutting lot owner's property which is contiguous to the easement area. No structure and/or permanent improvement of any nature shall be placed, maintained or permitted to remain on or within the easement area.

EASEMENT, VEHICULAR NON-ACCESS: An easement prohibiting vehicular access from a street or between inappropriate uses (i.e. Zoning District boundaries.)

ENGINEER: The Engineering Manager of the Town of Queen Creek or his designated representative.

ENGINEERING DIVISION: The Engineering Division of the Community Development

Department of the Town of Queen Creek.

EXCEPTION: Any parcel of land which is not owned by the subdivider or not included in the recorded plat. All such exceptions must be noted on the final plat as “not a part of this subdivision”.

EXHIBIT: Any graphic representation noted as "Exhibit" within this Ordinance that is used to illustrate and exemplify certain standards and regulations contained within the language of this Ordinance. If an exhibit and text of the Ordinance conflict, the written text of the Ordinance shall control.

FINAL PLAT APPROVAL: Approval of the final plat of a subdivision. Such final approval must be approved by the Engineering Manager and Planning Manager and certified on the plat by the signatures of the Mayor and attested by the Town Clerk.

FLOODPLAIN: As defined by the Maricopa County Flood Control District and as shown on Federal Emergency Management Act (FEMA) flood insurance maps or an approved flood control study.

FLOOR AREA RATIO (FAR): The ratio of gross building floor area to the net lot area of the building site.

GENERAL PLAN: A comprehensive plan, or parts thereof, providing for the future growth and improvement of the Town of Queen Creek and for the general location of street, schools and recreation areas, public buildings sites, and other physical development.

GRADE: The vertical difference (in feet) between two (2) points on the ground divided by the length of horizontal distance (in feet) between the same two (2) points, multiplied by one hundred (100). (Example $2'/100 = .02 \times 100 = 2\%$ grade)

GRADING: Any excavation, filling, or combination thereof, including the conditions resulting from any excavation or fill, involving changes to the natural topography or drainage pattern.

HEALTH DEPARTMENT: Maricopa and/or Pinal County Department of Health Services.

IMPROVEMENTS: Required installations, pursuant to this Ordinance and zoning stipulations , including but not limited to: grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, alleys, street lights, traffic control devices and landscaping; as a condition to the approval and signing of the final plat, precedent to recordation.

IMPROVEMENT PLANS: A set of plans setting forth the profiles, cross-sections, details, specifications, and instructions and procedures to be followed in the construction of public or private improvements in the Town of Queen Creek that are prepared and bear the seal of an Arizona - Registered Land Surveyor, Engineer, Architect or Landscape Architect in accordance with the approved preliminary plat, and zoning stipulations, and in compliance with standards of design and construction that are to be approved by the Engineering Manager, other Town Departments, the

County Departments, and all applicable utilities.

IMPROVEMENTS STANDARDS: A set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the planning, design and construction of required improvements.

IRRIGATION FACILITIES: Includes laterals, ditches, conduits, pipes, gates, pumps and allied equipment necessary for the supply, delivery and drainage of irrigation water and the construction, operation and maintenance of such.

LAND SPLITS: The division of improved or unimproved land, whose area is two and one-half acres or less, into two or three parcels of land for the purpose of sale, lease, or conveyance.

LOT: A single piece of property located in a recorded subdivision, having frontage on a publicly dedicated and accepted street or a private road approved by the Town, which is described and denoted as such.

LOT AREA: The area of a horizontal plane within the lot lines of a lot.

LOT, CORNER: The intersection of two or more lot lines, or angle point or change in direction of a lot line.

LOT COVERAGE: The percentage of the area of a lot which is occupied by all buildings or other covered structures using the roof outline for all outer dimensions.

LOT DEPTH: The horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

LOT, IMPROVEMENT: Any building, structure, place, work of art or other object or improvement of the land on which they are situated constituting a physical betterment of real property.

LOT, INTERIOR: A lot other than a corner lot.

LOT, KEY: A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot.

LOT LINE: Any line bounding a lot.

LOT LINE, FRONT: In the case of an interior lot, a line separating the lot from the street right-of-way. In the case of a corner lot, the narrower of the two lot lines adjoining a street right-of-way.

LOT LINE, REAR: A lot line which is opposite and most distant from, the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be

considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

LOT LINE, SIDE: The boundary of a lot which is not a front lot line or a rear lot line.

LOT, THROUGH: A lot having a part of opposite lot lines abutting two (2) streets, and which is not a corner lot, (Also known as a “double frontage lot”). On such lot, both lot lines are front, except that where a non-access easement has been established on such a lot, the front lot line shall be considered as that lot line most distant front the lot line containing the non-access easement.

LOT WIDTH: For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel to the street or street chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured 30 feet behind the required minimum front yard line on a line parallel to the street or street chord.

McDOT: Maricopa County Department of Transportation

NAOS: Natural Area Open Space

OFF SITE: Not located within the area of the property to be subdivided, whether or not in the same ownership of the applicant for subdivision approval.

OPEN SPACE: Any parcel or area of land unimproved or improved and set aside, dedicated, designated, or reserved for the public or private use and enjoyment.

OPEN SPACE, COMMON: Open space usable by all people within a certain development and such area is owned in common by all property owners in that development.

OPEN SPACE, PUBLIC: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, school district, state or county agency, or other public body for recreational or conservational uses.

OPEN SPACE, USABLE: Land which can be enjoyed by people. This could include landscaped or hardscaped plazas, paseo and promenades, fountains and sitting areas meant to provide an open park like atmosphere. Also playgrounds, golf courses, bicycle trails (but not bike lanes), pedestrian trails (only those sidewalks detached from the curb - creating a “boulevard strip”), and equestrian tracts or easements, and trail heads. Usable open space does not include parking areas and vacant or undeveloped lots.

OWNER: The person or persons holding title by deed to land, or holding title as vendor under a land contract, or holding any other title of record.

PATHWAY: Path; course; route; track; footway; and equestrian trail.

PEAK: The point of maximum elevation on a mountain or hill as indicated on a USGS topographic

map or survey of the property.

PEDESTRIAN WAY: A public walk dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area, trail system, or shopping area.

PLANNED AREA DEVELOPMENT (PAD): A development of 40 or more acres, in which flexibility can be permitted in the zoning standards, in order to encourage more creativity and sustainable design, thereby providing usable open spaces within and about the development and enhancing the rural character of the Town.

PLAT: A map which provides for changes in land use or ownership.

1. **Preliminary Plat:** A tentative map, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes. A preliminary site plan for a condominium development shall be considered a preliminary plat.
2. **Final Plat:** A final map of all of a subdivision, including supporting data, in substantial conformance to an approved preliminary plat, prepared by a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes.
3. **Recorded Plat:** A final plat bearing all certificates of approval required by this Ordinance and the Arizona Revised Statutes and duly recorded in the Maricopa County Recorder's Office and/or the Pinal County Recorder's Office.
4. **Reversionary Plat:**
 - a. A map for the purpose of reverting previously subdivided acreage to unsubdivided acreage, or;
 - b. A map for the purpose of vacating rights of way previously dedicated to the public and abandoned under procedures prescribed by the Town Code, or:
 - c. A map for the purpose of vacating or redescribing lot or parcel boundaries previously recorded.

PRE-APPLICATION CONFERENCE: An initial meeting between subdivider and municipal representatives which affords subdivider the opportunity to present their proposals informally and discuss the project and address any items of controversy or requirements before the preliminary plat is submitted.

PRELIMINARY APPROVAL: Affirmative action on a preliminary plat, noted upon prints of the plat, indicating that approval of a final plat will be forthcoming upon satisfaction of specified stipulations; and which constitutes authorization to submit final engineering plans and the final plat.

PRIVATE ACCESS WAY: Any private street or private way of access dedicated as a tract to one or more lots or air spaces which is owned and maintained by an individual or group of individuals and has been improved in accordance with Town standards and plans approved by the Engineering Manager. A private access way is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access, and where special design concepts may be involved, such as within planned area developments, hillside areas and condominiums.

RECORDER: The Recorder of Maricopa County and/or Pinal County.

RETAINING WALL: A wall or terraced combination of walls used solely to retain more than 18” of earth, but not to support or provide footing for a structure.

RIDGE: The defined topographical line connecting a series of major or minor hills or peaks.

RIDGE LINE: A ground line located at the highest elevation of the ridge running parallel to the long axis of the ridge.

RIGHT-OF-WAY: Any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.

ROADWAY EASEMENT: A recorded conveyance to the public over a described area for roadway related uses.

SKETCH PLAN: A preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern.

SERVICE EASEMENT: An area provided for in the subdivision design at the rear of retail, commercial or multi-family dwelling use of sufficient size and accessibility to facilitate the provision of necessary services.

STORM WATER RETENTION: Provision for storage of storm water during and after a flood or storm and the controlled release of such runoff after a storm or flood.

STREET, ARTERIAL: Major and section line streets, state highways, county highways, or roads of regional significance providing a system for town-wide through traffic movement. The locations of the Town’s arterial streets are designated in the Queen Creek General Plan.

STREET, COLLECTOR: Major, urban, and suburban/rural collector streets provide for traffic movement between the neighborhoods of the Town, and the arterial streets. The locations of the Town’s collector streets are designated in the Queen Creek General Plan.

STREET, CUL-DE-SAC: A local street having one end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, and backing areas as may be recommended by

the Engineering Manager.

STREET, FRONTAGE: A local street parallel to an arterial or collector road which intercepts the residential traffic and controls access to the arterial and collector roads (See Exhibit 21).

STREET, LOCAL: Provides for direct access to residential or other abutting land; primarily for local traffic movement with connections to collector and/or major streets.

SUBDIVIDER: A person, firm, corporation, partnership, association, syndicate, trust, or other legal entity that files the application and initiates proceedings for a subdivision in accordance with the provisions of this ordinance and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a subdivider; and said subdivider need not be the owner of the property as defined by this Ordinance. The Town Council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.

SUBDIVISION

- A. Improved or unimproved land or lands divided for the purpose of financing, sale, lease, or conveyance whether immediate or future, into four or more lots, tracts or parcels of land; or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into two or more parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse, patio home, or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon.
- B. "Subdivision" does not include the following:
1. The sale or exchange of parcels of land between adjoining property owners if such sale or exchange does not create additional lots.
 2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
 3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil, or gas leases.

SUBDIVISION ORDINANCE: The Town of Queen Creek Subdivision Ordinance

TECHNICAL REVIEW: The detailed review of proposed preliminary plats for compliance with Town Codes, Ordinances, Engineering Standards, Design Standards, or conditions of approval by the Commission or Town Council. Other utilities and public agencies are invited to review the plat as it relates to their conditions of service or need.

TECHNICAL REVIEW COMMITTEE: The selected group of technically qualified individuals

made up of Town staff and other public or private agency's and utility's responsible to insure compliance with ordinances, codes, regulations, etc. as they relate to the subdivision process.

TOWN: The Town of Queen Creek, Arizona.

USABLE LOT AREA: That portion of a lot usable for, or adaptable to, the normal uses made of property, excluding any areas which may be covered by water, are excessively steep, or are included in certain types of easements. Areas covered by water shall include areas within the defined flood plain, or are within the perimeter of a given pond of water which will remain after the development is completed.

U.S.C. & G.S.: United States Coast and Geodetic Survey.

UTILITY SERVICES: Service to the public of water, sewer, gas, electricity, telephone and cable television. The foregoing shall be deemed to include facilities and appurtenances to the above uses but shall not include public utility treatment and generating plants or offices.

VIEW FENCING: Any fencing or wall which is adjacent to a designated open space area, public trail, or transition area except when adjacent to an arterial or collector shall be constructed in such a manner as to achieve 50% openness overall. Any fencing or wall which is adjacent to an arterial or collector road, whether public or private, shall be constructed in such a manner as to achieve 33% openness overall.

WATER SUPPLY ASSURANCE (100 YEARS): Subdivision proposal must include evidence of meeting Arizona Department of Water Resources requirements for 100 year assured supply.

YARD: A minimum required open area adjacent to a lot line to be free from any structure, except as provided in the Town of Queen Creek Zoning Ordinance.

YARD, FRONT: A yard extending across the front of a lot, parcel or tract.

YARD, REAR: A yard extending across the rear of a lot, yard or tract.

YARD, SIDE: Any yard that lies between a front and a rear yard.

ZONE: A district classification established by The Town of Queen Creek Zoning Ordinance which limits or permits various and specific uses.

ZONING CLEARANCE: The approval by the Planning Manager of a plan that is in conformance with the Town of Queen Creek Zoning Ordinance.

ZONING DISTRICT: A zone area in which the same zoning regulations apply throughout the district.

ZONING ORDINANCE: The Town of Queen Creek Zoning Ordinance.