

TOWN OF MONTREAT SUBDIVISION ORDINANCE

ARTICLE III – DEFINITIONS

Subdivision. As used in this Ordinance, the definition of the word "Subdivision" is defined in Chapter 160A-376 of the North Carolina General Statutes, as now or hereafter amended. The definition is as follows:

A "*Subdivision*" means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this part:

- 1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the municipality as shown in its subdivision regulations;
- 2) The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
- 3) The public acquisition or purchase of strips of land for the widening or opening of streets; and
- 4) The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the municipality, as shown in its subdivision regulations.

A "*subdivider*" is defined as any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.

An "*alley*" is a strip of land owned publicly or privately, set aside primarily for vehicular service access to the back side of properties otherwise abutting on a street. An alley shall be provided for all lots designed for commercial or industrial purposes.

A "*minor subdivision*" is the division of a tract of land into no more than four (4) lots with access to be provided from an existing town street and which involves no new public streets, no right-of-way dedications and no easements.