APPENDIX A:
DEFINITIONS

Whenever the following words or phrases appear in this text, they shall have the meaning assigned to them by this appendix. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory, and the word "may" indicates use of discretion in making decisions.

Words not defined below but appearing elsewhere in these regulations will carry the definition used in the latest version of the Webster's Dictionary. If a definition in this appendix conflicts with a definition referenced or found in Title 76, Chapter 3, Montana Code Annotated, the definition referenced or found in Title 76, Chapter 3, Montana Code Annotated shall control.

AADT: Annual average daily trips made by vehicles in a calendar year.

ACCESS, LEGAL: The subdivision and all lots within the subdivision access a county road easement or public right-of-way, and all necessary County or State approach permits have been obtained.

ACCESS, PHYSICAL: The subdivision and all lots within the subdivision access a county road easement or public right-of-way that meets the standards of these regulations.

ACCESSORY BUILDING OR USE: A subordinate building—or portion of the principal building—located on the same lot as the principal building, or subordinate use of land, either of which is customarily incidental to the principal building or principal use of the land.

Where a portion of an accessory building is connected to part of the principal building in a substantial manner, as by a roof, such an accessory building shall be counted as part of the principal building.

ADDRESS IDENTIFICATION NUMBERS: The posted numbers used to identify property addresses. It is important that address numbers be clearly visible for the efficient provision of delivery and emergency services.

ADT: Average daily trips made by vehicles or persons in a 24-hour period.

AGGRIEVED PARTY: A person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision of the governing body to approve, conditionally approve, or disapprove a proposed subdivision plat.

ANNEXATION: The process by which land in an unincorporated area becomes part of a nearby or adjacent municipality.

APPLICANT: Any person, firm or corporation, or other entity that proposes a subdivision of land. An applicant is the subdivider or, with the subdivider's written permission, the subdivider's agent (see definition SUBDIVIDER)

APPROACH: The point where a residential driveway meets a public road, or where a local access road, for example, intersects a higher classification of public road (e.g., collector).

APPROPRIATE: An act, condition, or state that is considered suitable.

AS-BUILTS: The drawings and specifications that describe the actual layout, location, structures, materials, and systems of a building or property.

BLOCK: A group of lots, tracts or parcels within well-defined and fixed boundaries.

BOCC: Board of County Commissioners (sometimes referenced as “governing body”).

BUILDING ENVELOPE: The designated area of a lot within which a structure or structures can be built and which is depicted or described on a site plan or plat.

BUILDING SETBACK LINE: An imaginary line establishing the minimum distance that primary and accessory structures may be located from lot lines, street rights-of-way, natural drainages, or other physical or legal boundaries.

CERTIFICATE OF SURVEY (COS): A drawing of a field survey prepared by a registered land surveyor for the purpose of disclosing facts pertaining to boundary locations and parcel features. COSs are often filed as a legal document to describe land divisions that are exempt from the subdivision review process.

CLUSTER DEVELOPMENT: As defined in Section 76-3-103, MCA, “’Cluster development’ means a subdivision with lots clustered in a group of five or more lots that is designed to concentrate building sites on smaller lots in order to reduce capital and maintenance costs for infrastructure through the use of concentrated public services and utilities, while allowing other lands to remain undeveloped.”

COMMERCIAL USE: A commercial use is any business, retail trade, or service activity. Also known as: non-residential use.

COMMON AREA: Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the development.

CONDOMINIUM: A form of individual ownership with unrestricted right of disposal of one or more units in a multiple unit project with the land and all other parts of the project held in common ownership or use with owners of the other units.

CONSERVATION EASEMENT: A voluntary restriction of land use, particularly with respect to residential development. A landowner may sell or donate a conservation easement to a public or private entity.

CONSISTENCY, CONSISTENT WITH: Free from significant variation or contradiction. The courts have held that the phrase "consistent with" means "agreement with; harmonious with." The Webster Dictionary defines "consistency with" as meaning harmony, agreement when used with "with."

CONSOLIDATED CITY-COUNTY PLANNING BOARD: Also referred to as the Planning Board.

COVENANT: A written agreement (recorded with the Clerk and Recorder) of two or more parties by which any of the parties pledges himself to the others that something is done or shall be done, or sets forth provisions for the use of land.

COUNTY ROAD: Any public road or road easement that is an existing county roadway or easement, or is shown upon a plat approved by the BOCC by subdivision approval or is approved by other official action. A county road includes a public road easement, drainage facilities and utility easements.

DEDICATION: The deliberate appropriation of land by an owner for any general and public use, reserving to the landowner no rights which are incompatible with the full exercise and enjoyment of the use to which the property has been devoted. Acceptance of any dedications to public use is the discretion of the governing body.

DEED RESTRICTION: A land use restriction placed by a landowner on his or her property.

DEFENSIBLE SPACE: A designated area around a home or other structure the size of which is dependent on the vegetation, proximity of tree crowns, slope and distance to adjacent buildings. Within this area all weeds, dry grass, slash, flammable debris and flammable fuel is removed. This managed buffer surrounding buildings and structures is designed to reduce the chances of a fire spreading to or from the building or structures.

DENSITY: The number of dwellings or housing units per acre.

DEQ: Montana Department of Environmental Quality.

DIRECTOR OF COMMUNITY DEVELOPMENT AND PLANNING: The official responsible for supervising the County Planning staff, and directly administering these regulations. The title is sometimes abbreviated to read "Director."

DIVISION OF LAND: The segregation of one or more parcels of land from a larger tract held in single or undivided ownership by transferring, or contracting to transfer, title to a portion of the tract or properly filing a certificate of survey or subdivision plat establishing the identity of the segregated parcels pursuant to the Montana Subdivision and Platting Act. The conveyance of a tract of record or an entire parcel of land that was created by a previous division of land is not a division of land.

DNRC: Montana Department of Natural Resources and Conservation.

DRAINAGE BASIN: See definition for watershed.

DRIVEWAY: A private route, typically for motor vehicles, connecting a dwelling unit and/or garage with a public road.

DWELLING UNIT: Any building or portion thereof providing complete, independent and permanent living facilities for one family.

EA: Environmental Assessment.

EASEMENT: A right to use land, other than as a tenant, for a specific purpose; such right being held by someone other than the owner who holds title to the land.

EMERGENCY SERVICES: Community services such as fire protection, law enforcement, ambulance service, quick response, search and rescue, and flood and disaster relief. Emergency services are generally provided by local governments or private, nonprofit organizations.

EMINENT DOMAIN: The right of a public entity to acquire private property, for public use, by condemnation and payment of just compensation.

ENGINEER (REGISTERED PROFESSIONAL ENGINEER): A person licensed in conformance with the Montana Professional Engineers' Registration Act (Title 37, Chapter 67, MCA) to practice engineering in the State of Montana.

ENVIRONMENTAL ASSESSMENT (EA): An EA is a document that describes impacts on the environment as a result of a proposed action.

ENVIRONMENTAL IMPACT STATEMENT (EIS): An EIS is a document (typically longer and more detailed than an EA) that describes impacts on the environment as a result of a proposed action. It also describes impacts of alternatives as well as plans to mitigate the impacts.

EPA: U.S. Environmental Protection Agency.

EPHEMERAL STREAM: (See definition under "stream")

EXAMINING LAND SURVEYOR: A professional land surveyor duly appointed by the governing body to review surveys and plats submitted for filing.

FIRST MINOR SUBDIVISION: (See Minor Subdivision, First)

FLOOD: The water of any watercourse or drainage way which is above the bank or outside the channel and banks of such watercourse or drainage way.

FLOOD OF 100 YEAR FREQUENCY: A flood magnitude expected to recur on the average of once every 100 years, or flood magnitude which has a one percent chance of occurring in any given year.

FLOODPLAIN: The area adjoining the watercourse or drainage way that could be covered by the floodwater of a flood of 100-year frequency.

FLOODWAY: The channel of a watercourse or drainage way and those portions of the floodplain adjoining the channel which are reasonably required to carry and discharge the floodwater of any watercourse or drainage way.

FWP: Montana Department of Fish, Wildlife and Parks.

GEOGRAPHIC INFORMATION SYSTEM (GIS): A method of computer mapping that enables layers of land-related information (e.g., soils, roads, waterways, buildings) to be illustrated and analyzed in various combinations. GIS maps and databases may be used to predict future conditions under different hypothetical scenarios.

GOVERNING BODY: The Board of County Commissioners, or the governing authority of any city or town organized pursuant to law.

GROWTH POLICY: As defined in Section 76-1-103, MCA, a Growth Policy means and is synonymous with a comprehensive development plan, master plan, or comprehensive plan that meets the requirements of Section 76-1-601, MCA. The 1999 Montana Legislature enacted legislation that defined Growth Policy, and made it the operative term for the types of documents mentioned above.

HOUSEHOLD: All individuals--related or unrelated--who occupy a single housing unit.

IMPACT: The effect of any direct man-made actions or indirect repercussions of man-made actions on existing social, environmental, or economic conditions.

IMPLEMENTATION STRATEGY: Specific procedures for carrying out goals and policies.

IMPROVEMENT: The addition of one or more structures or utilities on a parcel of land (see also definition for infrastructure).

INCENTIVE: A benefit offered to entice someone to do something, as opposed to a regulatory requirement.

INDUSTRIAL USE: The activities predominantly connected with manufacturing, assembling, processing, or storing of products.

INFRASTRUCTURE: Public facilities and services that typically include, roads, sewers, water, schools, police and fire buildings, libraries, hospitals, parks, trails, etc. to serve public demand and safety.

INSTITUTIONAL CONTROLS: Non-engineered instruments, such as administrative and legal controls, that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy, e.g., *Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area in Lewis and Clark County*.

INTERMITTANT STREAM: (See definition under "stream")

LEVEL OF SERVICE (LOS): A measure describing a range of traffic conditions as defined and described in the current edition of the Highway Capacity Manual or an indicator of the extent or degree of service provided by, or proposed for, a facility or a service based on an established minimum standard (i.e. 1 patrol officer per 10,000 people).

LOCAL FIRE AUTHORITY: A local fire district, fire service area, or the county fire marshal.

LOCATION MAP: A small map showing the location of a tract of land in relation to a larger land area.

LOT: A parcel, plot or other land area created by subdivision for sale, lease, or rent.

LOT MEASUREMENTS:

a. Lot Depth -- The length of a line drawn perpendicularly to the front lot line and extending to the rear lot line.

b. Lot Width -- The average width of the lot.

c. Lot Frontage -- The width of the front lot line.

d. Lot Area -- The area of a lot calculated in square feet. In order to meet minimum size requirements, the lot area must be determined exclusive of streets, highways, alley, roads, or other rights-of-ways.

LOT TYPES:

a. Corner Lot: A lot located at the intersection of two streets and/or roads.
b. Interior Lot: A lot with frontage on only one street, and/or roads.
c. Through Lot: (or double fronted lot) A lot whose front and rear lines both abut on a street, and/or roads.

MAJOR SUBDIVISION: A subdivision containing six or more lots from an original tract of record.

MANUFACTURED HOUSING: A detached residential dwelling unit, which may consist of two or more sections, fabricated at a factory and designed to be towed on its own chassis to a building site for occupation as a dwelling with or without a permanent foundation. The term includes, but is not limited to, “trailer homes,” “house trailers,” and “mobile homes” whether or not the unit has been constructed after June 15, 1976, in conformance with Federal Manufactured Home Construction and Safety Standards. The term does not include “modular” or “factory-built buildings” that are fabricated at a factory in accordance with the International Residential/Building Code applicable to site built homes, and are transported to the site for final assembly on a permanent foundation.

MANUFACTURED HOME PARK: (See definition under "Mobile Home Park")

MCA: Montana Codes Annotated (State of Montana statutes).

MINOR SUBDIVISION: A subdivision that creates five or fewer lots from a tract of record where proper access to all lots is provided, where no land in the subdivision will be dedicated to public use for parks or playgrounds.

MINOR SUBDIVISION, FIRST: A tract of record proposed to be subdivided that has not been subdivided or created by a subdivision or has not resulted from a tract of record that has had more than five (5) parcels created from that tract of

record under Section 76-3-201, MCA or Section 76-3-207, MCA since July 1, 1973.

MINOR SUBDIVISION, SUBSEQUENT: Any minor subdivision that is not a first minor subdivision.

MITIGATE: To ameliorate, alleviate, or avoid to the extent reasonably feasible.

MOBILE HOME: 'Mobile home' or 'housetrailer' means a trailer or a semitrailer that is designed, constructed, and equipped as a dwelling place, living abode, or sleeping place (either permanently or temporarily), and is equipped for use as a conveyance on streets and highways, or a trailer or semitrailer whose chassis and exterior shell is designed and constructed for use as a housetrailer, but that is used permanently or temporarily for the advertising, sales, display, or promotion of merchandise or services, or for any commercial purpose, except the transportation of property for hire or the transportation of property for distribution by a private carrier." Also, see definition for "manufactured housing.

MOBILE HOME SPACE: A designated portion of a mobile home park designed for the accommodation of one mobile home and its accessory buildings or structures for the exclusive use of the occupants.

MOBILE HOME PARK: A tract of land providing two or more mobile home or manufactured home spaces for lease or rent to the general public.

MOBILE HOME STAND: That area of a mobile home lot that has been prepared for the placement of a mobile home.

MUNICIPALITY: An incorporated city or town.

NON-MOTORIZED TRAIL: A path physically separated from motor vehicle traffic by a space or barrier and within a highway right-of-way or within an independent right-of-way. A multi-use path is used by bicyclists, pedestrians, joggers, skaters, and other non-motorized travelers.

OCCASIONAL SALE: A previous exemption that provided for a single division of a tract of land during a period of one year. The occasional sale exemption was formerly contained in Section 76-3-207 (1)(d), MCA; it was repealed by the 1993 Legislature.

OPEN SPACE: A land or water area devoid of buildings and other physical structures except where accessory to the provision of recreation.

ORIGINAL TRACT OF RECORD: A tract of land existing as of July 1, 1973.

OVERALL DEVELOPMENT PLAN: The plan of a subdivision design for a single tract proposed to be subdivided by stages.

PERENNIAL STREAM: (See definition under "stream")

PHASED DEVELOPMENT: A subdivision application and preliminary plat that at the time of submission consists of independently platted development phases that are scheduled for review on a schedule proposed by the applicant.

PLANNED UNIT DEVELOPMENT (PUD): A land development project consisting of residential clusters, industrial parks, shopping centers, or office building parks, that comprise a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in a common ownership or use.

PLANNING BOARD: A city planning board, a county planning board or a joint city-county planning board as formed pursuant to Title 76, Chapter 1, MCA. In Lewis and Clark County, the formal title is the Helena—Lewis and Clark County Consolidated Planning Board (sometimes abbreviated as just "Board"). The planning board's role is advisory.

PLAT: A graphic representation of a subdivision showing the division of land into lots, parcels, blocks, streets, and alleys, and other divisions and dedications.

a. Preliminary Plat: A neat and scaled drawing of a proposed subdivision showing the layout of streets, alleys, lots, blocks, and other elements of a subdivision which furnish a basis for a review by a governing body.

b. Final Plat: The final drawing of the subdivision and dedication required to be prepared for filing for record with the county clerk and recorder and containing all elements and requirements set forth in these regulations and the Montana Subdivision and Platting Act. (Title 76, Chapter 3, MCA).

c. Vacated Plat: A plat that has been removed from the county record under provisions of these regulations and the Montana Subdivision and Platting Act (Title 76, Chapter 3, MCA).

d. Amended Plat: The final drawing of any change to a platted subdivision required to be filed with the clerk and recorder and containing all elements and requirements set forth in these regulations and the Montana Subdivision and Platting Act. (Title 76, Chapter 3, MCA).

PRIME FARMLAND: As defined by the Natural Resources Conservation Service, those lands that are best suited due to physical and chemical characteristics to produce food, feed, forage, fiber, and oilseed crops. Typically, these lands have an adequate and dependable supply from precipitation or irrigation, favorable temperature and growing season, and acceptable soil acidity and alkalinity.

PROFESSIONALLY TRAINED BIOLOGIST: An individual with a minimum of a bachelor's degree in a fisheries or wildlife-related field and professional experience in applying current biological knowledge to on-the-ground stewardship and management of the resource and its environment, or an individual meeting the requirements of a Certified Wildlife Biologist (by The Wildlife Society) or a Certified Fisheries Professional (by the American Fisheries Society).

PUBLIC HEARING: A meeting or part of a meeting held by the governing body or its agent to solicit public testimony on a subdivision application or other action of the governing body or its agent.

PUBLIC IMPROVEMENT: Any structure or facility constructed to serve the residents of a subdivision or the general public such as parks, streets and roads, sidewalks, curbs and gutters, street lighting, street identification signs, traffic control signs, utilities and systems for water supply, sewage disposal and drainage.

PUBLIC MEETING: A meeting held by the governing body or its agent in which public comment is taken on a subdivision application or other action by the governing body or its agent.

PUBLIC SERVICES: Services and facilities provided to the general community by government or quasi-public entities. Examples include roads and bridges, emergency services, schools and libraries, sewer and water systems, and solid waste disposal.

RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use that either has its own motor power or is mounted on or drawn by another vehicle. The term includes but is not limited to travel trailers, camping trailers, truck campers, and motor homes.

RECREATIONAL VEHICLE PARK: A place used for public camping where persons can rent space to park individual camping trailers, pick-up campers, motor homes, travel trailers or automobiles for transient dwelling purposes.

RECREATIONAL VEHICLE SPACE: A designated portion of a recreational vehicle park designed for the placement of a single recreational vehicle and the exclusive use of its occupants.

REGISTERED ENGINEER: An engineer licensed to practice in the State of Montana.

REGULATION: That which is required, unless an explicit exception is made.

RESIDENTIAL USE: Any land use that provides for living space. Examples may include, single family, multifamily, special residences, and Mobile Home Park.

RID (Rural/Road Improvement District): A specially designated area in which local public improvements are made. Property owners or the County may initiate projects that are paid through special assessments. RID examples may include road improvements, sidewalks, curb, etc.

RIGHT-OF-WAY: A strip of land dedicated or acquired for use as a public way.

RIGHT-TO-FARM LAW: A Montana state law that excludes standard agricultural practices from being considered "nuisances" (see Section 27-30-101, MCA).

RIPARIAN AREA: Defined by the University of Montana's Riparian and Wetland Research Program as the "green zone" which lies between channels of flowing water and uplands, and which serves several functions, including the following: water storage and aquifer recharge; filtering of chemical and organic wastes; sediment trapping; bank building and maintenance; flow energy dissipation; and primary biotic production. Riparian areas provide important habitat for many species of wildlife.

RURAL DEVELOPMENT: Development activities that may be based on the land (e.g. agriculture, ranching and mineral extraction). Usually characterized by large lots for houses and by farm and forest activities. Areas where fewer public facilities exist, and lower infrastructure standards are typically found.

RV: Recreational Vehicle.

SERVICE AREA: The land area within which a County or other jurisdiction is committed to providing public services.

SETBACK: The horizontal distance required between the public right-of-way or property line (whichever is closest) and the building line.

SINGLE FAMILY DWELLING: A dwelling used for residential occupancy by one household.

STANDARD: Something established for use as a rule or basis of comparison in measuring quantity, quality, value, etc.

STATE: The State of Montana

STREAM: A body of running water (as a river or creek) flowing on the earth.

a. **EPHEMERAL STREAM:** A stream that flows infrequently, usually only following precipitation events or snowmelt. This would include many gullies, coulees, and draws.
b. **INTERMITTANT STREAM:** A stream that flows more often than not, but may not flow a good portion of the time in some reaches. For instance, during the late summer there may be flow in some sections of an intermittent stream, and no flow in other reaches where water seeps into the stream bottom at a higher rate.
c. **PERENNIAL STREAM:** A stream that typically flows all year for its entire length, although stretches may go dry during periods of extreme drought.

STREAM BUFFER ZONE: A portion of the stream setback that is designated to remain undisturbed. A buffer zone is not an additional setback distances. A buffer zone is an area where all natural vegetation, rocks, soil, and topography shall be maintained in their original state, or enhanced by the additional planting of native plants.

STREAM SETBACK: The horizontal distance from the ordinary high water mark within which the structures and uses defined in Chapter XI, sections W.3.a are not allowed. Setback and buffer distances are measured on a horizontal plane.

STREET TYPES: For purposes of these regulations, street types are defined as follows:

a. Alley: A street used primarily for vehicular access to the rear of properties that abut on and are served by public roads.

b. Arterial: a street or road having the primary function of moving traffic and the secondary function of providing access to adjacent land. Arterials generally carry relatively large volumes of traffic. Arterials have two to four lanes of moving traffic and provide limited access to abutting property.

c. Avenue: For urban areas--roads running generally east/west.

d. Collector: A street or road having the equally important functions of moving traffic and providing access to adjacent land. Collector

streets have two moving traffic lanes and may have two parking lanes.

e. Court: Any cul-de-sac with a circle at one end, and less than 1,000' in length.

f. Cul-de-sac: A street having only one outlet for vehicular traffic and terminating in a turn-around area.

g. Dead End Road: A road having only one outlet for vehicular traffic.

h. Driveway: A private road less than 150 feet in length that services only one residence. A private road providing access to a public road that services only one residence.

i. Frontage Access (Service Road): A local or collector street, usually parallel and adjacent to an arterial or major collector, which provides access to abutting properties and controls traffic access to arterials or collectors.

j. Half-Street: A portion of the width of a street, usually along the outside perimeter of a subdivision, where the remaining portion of the street must be located on adjacent property.

k. Lane: A meandering roadway less than 2,500' in length.

l. Local Streets: A street or road having the primary function of serving abutting properties, and the secondary function of moving traffic. Local streets have two moving lanes of traffic, may have one or two parking lanes and provide access to abutting properties.

m. Loop: A local street which begins and ends on the same street, generally used for access to properties, and which does not contain significant intersections along its route.

n. Place: An east/west road less than 1,000' in length.

o. Public Road: A road is public if its right-of-way has been dedicated for public use.

p. Street: For urban areas--roads running generally north/south.

q. Way: North/south road less than 1,000' in length.

SUBDIVIDER: Any person, firm or corporation who owns land to be subdivided or proposes a subdivision of land. (see definition, APPLICANT)

SUBDIVISION: A division of land or land so divided, which creates one or more parcels containing less than one hundred sixty (160) acres that cannot be described as a one-quarter aliquot part of a United States Government Section, exclusive of public roadways, in order that the title to the parcels may be sold, or otherwise transferred, and includes any resubdivision and a condominium. The term also means an area, regardless of its size, that provides or will provide multiple spaces for rent or lease on which recreational camping vehicles or mobile homes will be placed. A subdivision comprises only those parcels containing less than one hundred sixty (160) acres that have been segregated from the tract of record. The subdivision plat must show all the parcels whether contiguous or not. Provided, however, condominiums constructed on land divided in compliance with the Montana Subdivision and Platting Act are exempt from the provisions of the Section 76-3-203, MCA, under certain circumstances.

SUBSEQUENT MINOR SUBDIVISION: (See Minor Subdivision, Subsequent)

SUBSIDENCE: The lowering of the earth's surface, caused by such factors as compaction, a decrease in groundwater, mining activities, or the pumping of oil.

SURVEYOR (PROFESSIONAL LAND SURVEYOR): A person licensed in conformance with the Montana Professional Engineer Registration Act (Title 37, Chapter 67, MCA) to practice surveying in the State of Montana.

SWALE: A drainage channel or shallow depression designed to direct surface water flow.

TMDL: Total maximum daily load, used in determining water quality.

TOWNHOUSE: A type of dwelling in which individuals own their own units and hold separate title to the land beneath the unit and their own lot.

TRACT: A single parcel of land held in single and undivided ownership as shown by the official records on file in the office of the county clerk and recorder.

TRACT OF RECORD:

(a) A "tract of record" is an individual parcel of land, irrespective of ownership, that can be identified by legal description, independent of any other parcel of land, using the documents on file in the records of the county clerk and recorder's office.

(b) Each individual tract of record continues to be an individual parcel of land unless the owner of the parcel has joined it with other contiguous parcels by filing with the county clerk and recorder:

(i) an instrument of conveyance in which the aggregated parcels have been assigned a legal description that describes the resulting single parcel and in which the owner expressly declares the owner's intention that the tracts be merged; or

(ii) a certificate of survey or subdivision plat that shows that the boundaries of the original parcels have been expunged and depicts the boundaries of the larger aggregate parcel.

(c) An instrument of conveyance does not merge parcels of land under subsection (16)(b)(i) of Section 76-3-103, MCA unless the instrument states, "This instrument is intended to merge individual parcels of land to form the aggregate parcel(s) described in this instrument" or a similar statement, in addition to the legal description of the aggregate parcels, clearly expressing the owner's intent to effect a merger of parcels.

USFWS: U.S. Fish and Wildlife Service.

USGS: U.S. Geological Survey.

UTILITIES: Facilities serving the public by means of a network of wires or pipes, and ancillary structures. Included are systems for the delivery of natural gas, electricity, telecommunications services, and water, as well as the disposal of sewage. County or consolidated city and county water or sewer districts may be defined as public utilities.

VFD: Volunteer Fire Department.

VICINITY MAP: A map at a scale suitable to locate the proposed subdivision, showing the boundary lines of all adjacent properties and streets and other information necessary to determine the general location of the proposed subdivision.

VIEWSHED: The landscape visible from a particular viewing point.

WATERCOURSE: A natural depression or channel that gives direction to a current of water at any time of the year. This could be a stream or gully, for example, that water flows towards and then through, in a prescribed path.

WATERSHED: When rain or snow falls on an area of land, it eventually runs down hill until it reaches a stream. The entire area over which water flows to a common point is called a watershed.

WETLANDS: Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted

for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

WILDLAND/URBAN INTERFACE: Borders of forest and/or woodland areas being settled by people desiring to live in rural, wooded settings.

ZONING: A regulatory tool available to local governments to designate the location and character of various land uses.