

“Development” means any activity, other than normal agricultural activity, which materially affects the existing condition or use of any land or structure.

“Jurisdiction” means the territory of a county or municipal corporation within which its powers may be exercised.

“Local executive” means the chief executive of the political subdivision whether the official designation of his office be elected county executive or executive head, mayor, or similar term.

“Local legislative body” means the elected body of a political subdivision whether known as county commissioner, or county council, city, town, or village council, or similar terms.

“Plan” means the policies, statements, goals, and interrelated plans for private and public land use, transportation, and community facilities documented in texts and maps which constitute the guide for the area’s future development. For the purposes of this definition the word “plan” shall include general plan, master plan, comprehensive plan, community plan, and the like as adopted in accordance with [Sec. 3.00] ~~Secs. 3.01-3.09~~ 3.09 of this article.

“Regulation” means any rule of general applicability and future effect including any map or plan.

“Special exception” means a grant of a specific use that would not be appropriate generally or without restriction and shall be based upon a finding that certain conditions governing special exceptions as detailed in the zoning ordinance exist, that the use conforms to the plan and is compatible with the existing neighborhood.

“SUBDIVISION” MEANS THE DIVISION OF A LOT, TRACT, OR PARCEL OF LAND INTO TWO OR MORE LOTS, PLATS, SITES, OR OTHER DIVISIONS OF LAND FOR THE PURPOSE, WHETHER IMMEDIATE OR FUTURE, OF SALE OR OF BUILDING DEVELOPMENT. IT INCLUDES RESUBDIVISION AND, WHEN APPROPRIATE TO THE CONTEXT, RELATES TO THE PROCESS OF RESUBDIVIDING OR TO THE LAND OR TERRITORY SUBDIVIDED.

“VARIANCE” MEANS A MODIFICATION ONLY OF DENSITY, BULK, OR AREA REQUIREMENTS IN THE ZONING ORDINANCE WHERE SUCH MODIFICATION WILL NOT BE CONTRARY TO THE PUBLIC INTEREST AND WHERE OWING TO CONDITIONS PECULIAR TO THE PROPERTY, AND NOT THE RESULTS OF ANY ACTION TAKEN BY THE APPLICANT, A LITERAL ENFORCEMENT OF THE ORDINANCE WOULD RESULT IN UNNECESSARY HARDSHIP.

## 2.05. Amendment, modification, repeal and reclassification.

(a) Generally; findings for reclassification of particular property.—Such regulations, restrictions and boundaries may from time to time be amended, supplemented, modified, or repealed. Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the local legislative body shall make findings of fact in each specific case including, but not limited to, the following matters: population change, availability of