

# Article

# 11

## Definitions

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*City of Richmond  
Unified Development  
Ordinance*

# Definitions

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## 11.01 General

The definitions contained in *Article 11: Definitions* shall be observed and applied in the interpretation of all Articles in the Unified Development Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

## 11.02 Defined Words

The following terms shall have the following meanings:

# Definitions - A

**Abandonment:** The relinquishment of property or a cessation of the use of the property for a continuous period of one (1) year by the owner with the intention neither of transferring rights to the property to another owner nor of resuming the use of the property.

**Accessory Building:** See "Accessory Structure."

**Accessory Structure:** A structure which:

1. Is subordinate to a primary structure in area, intent and/or purpose,
2. Contributes to the comfort, convenience, or necessity of occupants of the primary structure or primary use,
3. Does not alter or change the character of the premises,
4. Is located on the same zoning lot as the primary structure or primary use,
5. Conforms to the setback, height, bulk, lot coverage, and other requirements of the Unified Development Ordinance unless otherwise provided for,
6. May not be constructed prior to the time of construction of the primary structure, unless used for agricultural or personal storage or otherwise specified in the Unified Development Ordinance,
7. Is not designed for human occupancy as a dwelling or commercial use, and
8. In the case of a telecommunications facility, a subordinate structure detached from but located on the same site, the use of which is incidental and accessory to that of the primary telecommunications facility.

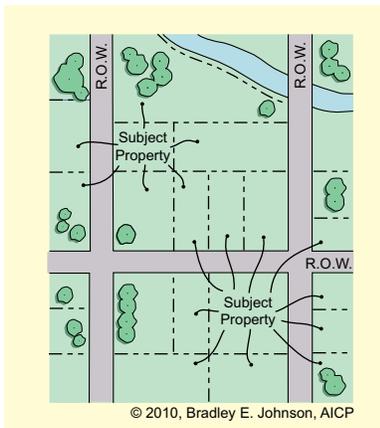
**Accessory Structure, Recreation-based:** An accessory structure placed on a lot and used for recreation, entertainment and lounging. Specific types of permitted Recreation-based Accessory Structures are indicated in the accessory structure standards in *Article 5: Development Standards*.

**Accessory Structure, Storage-based:** An accessory structure placed on a lot and used to store, keep, shelter or contain material items. Specific types of permitted Storage-based Accessory Structures are indicated in the accessory structure standards in *Article 5: Development Standards*.

**Accessory Structure, Support-based:** An accessory structure placed on a lot and used to provide essential services to a primary structure, primary land use, or another accessory structure. Specific types of permitted Support-based Accessory Structures are indicated in the accessory structure standards in *Article 5: Development Standards*.

**ADA:** The Americans with Disabilities Act.

**Adjacent Property:** Any property adjacent to or directly diagonal to the subject property. Properties across a public right-of-way (R.O.W.) are also considered adjacent. The illustration below notes the properties that would be considered adjacent to two different subject properties.



**Administrator:** See "Zoning Administrator."

**Advisory Plan Commission:** See "Plan Commission."

**Agricultural District:** Refers to the AG District. The IA District shall not be considered an agriculture district.

# Definitions - A

**Agriculture**: The use of land for agriculture purposes, including farming, dairying, pasturage, apiculture, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any accessory uses shall be secondary to that of the normal agricultural activities. "Agriculture" does not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

**Airport, Private**: A facility which is primarily used or intended to be used for the departure and arrival of aircraft for transportation or recreation, and that is not open to the flying public. A private airport shall include at least one (1) paved or unpaved runway. A private airport may also include basic navigational equipment, basic communication equipment, basic navigational lighting, a taxiway, an aircraft tie-down area, a hanger, an aircraft maintenance facility, and a fuel dispensing with less than 500 cumulative gallons of on-site storage. A private airport may also include ancillary uses that are clearly subordinate to the primary use, including: private pilot training. A private airport shall not include any food service, retail sales, air show, or control tower.

**Airport, Public**: A facility which is primarily used or intended to be used for the departure and arrival of aircraft for transportation or recreation, and that is open to the flying public. A public airport shall include at least one (1) paved runway. A public airport may also include navigational equipment, communication equipment, navigational lighting, a control tower, a taxiway, a loading ramp, an aircraft tie-down area, a hanger, a terminal, a management office, an aircraft maintenance facility, fuel storage, and a fueling depot. A public airport may also include ancillary uses that are clearly subordinate to the primary use, including: a cafe, mechanical or pilot training operation, skydiving show or training, air show, pilot lounge, aviation related retail, and passenger related retail.

**Airport Compatibility Overlay District**: Refers to the ACO District.

**Alley**: A public right-of-way, other than a street, road, crosswalk, or easement, that provides secondary access for the special accommodation of abutting property.

**Ancillary Use**: Uses that are customarily associated with and clearly subordinate to a primary use of land or a structure. A use shall never be considered ancillary if it is a permitted or special exception use in the same zoning district.

**Antenna**: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic or radio waves.

**Applicant**: The owner, owners or legal representative of real estate who makes application to the Plan Commission and/or Board of Zoning Appeals for action by the Plan Commission or Board of Zoning Appeals affecting the real estate owned or represented by the applicant.

**Aquifer Protection Overlay District**: Refers to the APO District.

**Arterial Street**: See "Street, Major Arterial" or Street, Minor Arterial."

**Assisted Living Facility**: A residential facility where assistance with daily activities, such as taking medicine, dressing, grooming, and bathing are provide for the aged or infirm, or any other reasonably independent person in need of nursing care; and which does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction. Assisted living facilities have private rooms that are not shared by non-related persons.

**ATM**: See "Automated Teller Machine."

**Attached Structure**: A structure that is structurally connected to another structure by a foundation, wall, bridge, or roof line, or appears to be connected. Carports, garages, porch awnings and the like are considered attached structures and shall abide by all regulations pertaining to primary structures.

**Automobile Oriented Business**: A business that includes services rendered directly on, to, or for vehicles. Automobile Oriented Businesses include automobile accessory installation, automobile body shop, automobile gas station, automobile oil change facility, automobile parts sales, automobile rental, automobile repair/service station and automobile wash.

**Automobile Wash**: A structure, or portion of a structure, containing facilities for washing one (1) or more automobiles at any one time, using production line methods such as a chain conveyor, blower, steam cleaning device or other mechanical devices; or providing space, water, equipment or soap for the complete or partial cleaning of such automobiles, whether by operator or by customer.

**Automated Teller Machine (ATM)**: An electronically operated device used to conduct financial transactions on site, by means of direct computerized access.

## Definitions - A

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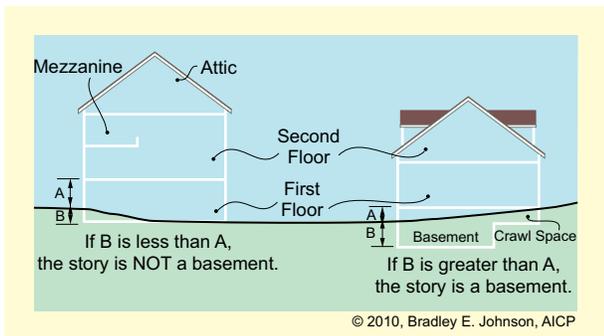
**Automobile Repair/Service Station:** Any building or premises used for the dispensing, sale or offering for sale to the public, automobile fuels stored only in underground tanks and located wholly within the lot lines; lubricating oil or grease for the operation of automobiles; and the sale and installation of tires, batteries, other minor accessories, and minor auto repair, but not including a bulk plant, conducting of major auto repairs, automobile wrecking, automobile sales, or car washes; provided, however, that the washing of individual automobiles where no chain conveyor is employed may be included.

**Average Setback:** See "Setback, Average."

# Definitions - B

**Base Zoning District:** See "Underlying District."

**Basement:** That portion of a structure below the first or ground floor level and having less than four (4) feet of clearance from its ceiling to the average finished grade of the structure perimeter. A basement shall not be considered a story for the purposes of determining structure height, except when it is used or suitable for habitation.



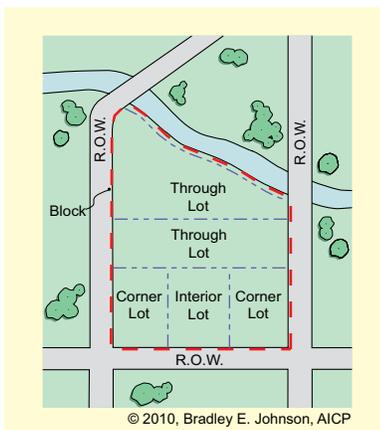
**Bed and Breakfast Facility:** An owner occupied or employee of the owner occupied residence containing no more than six (6) guest rooms for hire, for lodging by prearrangement for periods not to exceed three (3) consecutive weeks and providing for occasional meals daily (usually breakfast) and not a hotel, motel, or boarding house.

**Best Management Practices (BMPs):** Any of the following measures to minimize, as reasonably practicable, impacts on groundwater quality and quantity:

1. Schedules of activities;
2. Prohibition of practice;
3. Treatment requirements;
4. Operation and maintenance procedures;
5. Use of containment facilities; and/or
6. Other management practices.

**Berm:** A man-made, formed, earth mound of definite height and width used for landscaping and screening purposes, the intent of which is to provide a transition between uses of differing intensity or to screen uses from sight.

**Block:** Property abutting on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway or the end of a dead end street.



**Board:** See "Board of Zoning Appeals."

**Board of Zoning Appeals:** The City of Richmond Board of Zoning Appeals or any division thereof.

**Bond:** Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the Plan Commission. All bonds shall be approved by the Plan Commission wherever a bond is required by the Unified Development Ordinance.

## Definitions - B

**Buffer Landscaping:** Any trees, shrubs, walls, fences, berms, space, or related landscaping features required under the Unified Development Ordinance for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing visual shielding or other aspects of privacy and/or aesthetics.

**Bufferyard:** An area adjacent to front, side, and rear property lines, measured perpendicularly from adjacent property lines and/or right-of-way lines, intended to provide attractive spaces to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other and from the right-of-way. Buffers also help to maintain existing trees or natural vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Bufferyards are in addition to (separate from) front, rear, or side yard setbacks.

**Buildable Lot:** See "Lot, Improved."

**Building:** A structure having a roof, supported by columns or walls, for the shelter, support, or enclosure of persons, property, or animals; and when separated by division walls from the ground up and without openings, each portion of such building shall be deemed as a separate building.

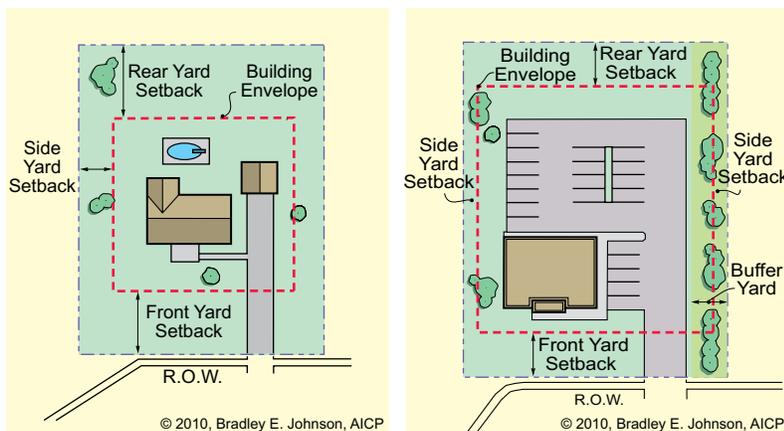
**Building Area:** The horizontal area of the buildings on a lot, measured from the outside exterior walls, excluding open areas or terraces, unenclosed porches or decks, and architectural features that project no more than two (2) feet.

**Building Code:** The Indiana Building Code which establishes and controls the standards for constructing all forms of permanent structures and related matters.

**Building, Detached:** See "Detached Structure."

**Building Height:** See "Structure Height."

**Building Envelope:** The setback lines that establishes an area on a lot in which building can occur.



**Bumpout:** A landscaping feature typically in a parking lot used similarly to a landscape island in a parking lot; to provide visual relief, reduce heat, and add to a healthful environment. Bumpouts can be used along streets, especially near intersections to, in addition to previously mentioned benefits, help define on-street parking areas and shorten crosswalk distances.

**Business:** The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise, or services, or the maintenance or operation of offices, recreational or amusement enterprises.

**BZA:** See "Board of Zoning Appeals."

## Definitions - C

**Camp**: A facility where people go for training (e.g. cheerleading) or experiences (e.g. horse back riding) where they stay in temporary residences (e.g. cabins, tents, or lodge).

**Campground**: Any site, lot, field or tract of land designed with facilities for short term occupancy by recreational vehicles and other camping equipment but not including mobile homes.

**Canopy Tree**: Deciduous trees that grow to at least forty (40) feet in height and have a canopy that is round or oval in shape. Conical or tubular shaped trees are not canopy trees.

**Carport**: A roofed structure designed and intended to shelter a motor vehicle, with at least two (2) sides open to the weather.

**Car Wash**: See "Automobile Wash."

**Cellular Communication Equipment**: Antennas and other transmitting and/or receiving device or other associated devices used in the provision of telecommunications service.

**Cemetery**: Property used for interring of the dead. It includes any crematory, mausoleum, or mortuary operated in conjunction with and on the same property.

**Central Water System**: A community water supply system including existing and new wells and/or surface water sources and intakes, treatment facilities, and distribution lines.

**Central Sewer System**: A community sewer system including collection and treatment facilities owned and maintained by a governmental unit.

**Certificate of Conformance**: A document issued by the City Engineer for the City of Richmond, which certifies that an existing or expanding business or the proposed development meets or exceeds the requirements of the Aquifer Protection Districts.

**Certificate of Occupancy**: A certificate stating the occupancy and use of a building or structure complies with all applicable Unified Development Ordinance provisions.

**Changeable Copy Sign**: See "Sign, Changeable Copy."

**Changeable Copy, Electronic**: See "Electronic Changeable Copy."

**Changeable Copy, Manual**: See "Manual Changeable Copy."

**Child Care Home**: An establishment providing non-overnight care, supervision, and protection of children in private residences which is ancillary to the primary use as residential. A residential structure in which at least six (6) children (not including the children for whom the provider is parent, stepparent, guardian, custodian, or other relative) at any time receive child care from a provider: (a) while unattended by a parent, legal guardian, or custodian; (b) for regular compensation; and (c) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term includes class I child care home and class II child care home as defined in *IC 12-7-2-33.7* and *IC 12-7-2-33.8*.

**Child Care Center**: Any institution operated for the care of children, licensed pursuant to *IC 12-3-2-3.1*, et seq., and as defined by *IC 12-3-2-3*.

**Child Care Institution**:

1. A residential facility that provides child care on a twenty-four (24) hour basis for more than ten (10) children; or
2. A residential facility with a capacity of not more than ten (10) children that does not meet the residential structure requirements of a group home; or
3. Operates under a license issued under *IC 12-17.4*; provides for delivery of mental health services that are appropriate to the needs of the individual; and complies with the rules adopted under *IC 4-22-2* by the Division of Family and Children. A child care institution does not include a juvenile detention facility.

**Children's Home**: See "Child Care Institution."

**Church**: See "Places of Worship."

**City Official**: A Common Councilor, a Plan Commission member or its staff, a Board of Zoning Appeals member, or an employee of the City.

**Clinic**: See "Medical Clinic."

## Definitions - C

**Club House:** A structure used in association with a golf course, in which may be locker rooms, golf course administration offices, golf cart storage and maintenance, rest rooms, lounges, meeting space, snack bar, banquet facilities and retail sales of golf related products. Retail sales shall constitute no more than 15% of the space accessible to public space of the club house.

**Collector Street:** A street that moves traffic between arterial streets and funnels traffic out of residential areas, as depicted by the *City of Richmond Comprehensive Plan*.

**College:** See "University."

**Collocation:** A space on an existing or proposed telecommunication tower that can be used for the installation and/or mounting of antennas or radio or cellular communication equipment.

**Commercial District:** Refers to the NC, LC, GC, OC, CB, and HC Districts.

**Commission:** See "Plan Commission."

**Community Center:** A structure available to the public for community activities, meetings, banquets, projects, gatherings and the like. A community center may be able to be reserved by the public for private parties and events.

**Comprehensive Plan:** Refers to the *City of Richmond Comprehensive Plan*. The plan includes goals and objectives for economic development, City image and identity, transportation, land use, and the like. The *City of Richmond Comprehensive Plan* was developed and adopted by the Plan Commission pursuant to the IC 36-7-4-500 Series and includes any part and/or policies separately adopted and any amendment to the plan and/or the policies.

**Condition of Approval:** Stipulations or provisions set forth by the Board of Zoning Appeals or Plan Commission required as a prerequisite for approval of a petition.

**Condominium:** Real estate lawfully subject to IC 32-25, et seq. (the Condominium Law), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.

**Confined Feeding:** The raising of animals for food, fur or recreation in lots, pens, ponds, sheds or buildings, where they are confined, fed, and maintained for at least forty-five (45) days during any year, and where there is no ground cover or vegetation present over at least half of the animals' confinement area

**Confined Feeding Operation (large):** Any livestock operation engaged in the confined feeding of at least 1,000 cattle, or 1,000 swine, or 10,000 sheep, or 30,000 hens or ducks. All thresholds are defined by IDEM.

**Confined Feeding Operation (medium):** Any livestock operation engaged in the confined feeding of between 300-999 cattle, or 750-999 swine, or 3,000-9,999 sheep, or 9,000-29,999 hens, or 10,000-29,999 ducks. All thresholds are defined by IDEM.

**Confined Feeding Operation (small):** Any livestock operation engaged in the confined feeding of less than 300 cattle, or 750 swine, or 3,000 sheep, or 9,000 hens or 10,000 ducks. All thresholds are defined by IDEM.

**Construction:** Includes building, erecting, moving, or any physical operations on the premises which are required for construction. Excavation, fill, paving, and the like shall be considered part of construction.

**Construction Plan(s):** The maps or drawings showing the specific location and design of improvements to be installed in accordance with the requirements of the Unified Development Ordinance and the Indiana Building Code as a condition of approval.

**Contaminate:** To have hazardous materials or regulated substances mixed into an aquifer formerly void of such substances.

**Continuous Mound:** A landscape feature used for screening in which a continuous raised section of earth is used to block or partially block visibility from one side to the other. In particular, continuous mounds are linear with a top elevation (crest) relatively consistent from one end to the other.

**Corner Lot:** See "Lot, Corner."

**County:** Wayne County, Indiana.

## Definitions - C

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**Covenants**: Private and legal restrictions of various kinds on the usage of lots, typically within a subdivision and applied by the subdivider. In the case of public health, safety and welfare, covenants may be applied by the Plan Commission, that are recorded with the plat and deed. Covenants can also be placed on commercial and industrial developments. Unless specifically agreed to, covenants are not enforceable by the Plan Commission or its designees. However, they are enforceable in civil court by interested or affected parties.

**Cul-de-sac**: A street having one end open to traffic and being permanently terminated by a vehicular turnaround at the other end.

## Definitions - D

**Dance/Night Club**: An establishment for entertainment with table seating, stage (or area) for musical performances and floor area designated for dancing.

**Day Care**: See "Child Care Center."

**Deck**: An accessory structure which is on the ground or is elevated from ground level and is open to the sky.

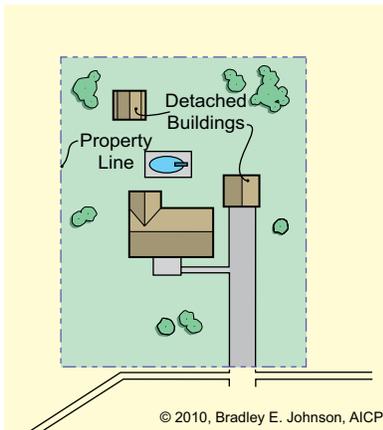
**Dedication**: The setting apart of land or interests in land for use by the municipality or public by ordinance, resolution or entry in the official minutes as by the recording of a plat.

**Demolition**: The complete removal or destruction of any structure excluding its foundation.

**Department of Metropolitan Development**: The planning department of the City of Richmond.

**Detached Building**: See "Detached Structure."

**Detached Structure**: A structure that has no structural connection with the primary structure or any other building or structure.



**Detention Pond**: See "Pond, Detention."

**Developed Lot**: See "Lot, Developed."

**Developer**: The owner or legal representative of land proposed to be subdivided or residentially/commercially/industrially utilized.

**Development Standards**: Height, bulk, density, environmental performance standards and other standards for development as set forth in this Unified Development Ordinance, including landscaping, parking and other required improvements, excluding those provisions which specifically regulate the use, per se, of property.

**Development Standards Variance**: See "Variance, Development Standards."

**Discharge**: The off-site release of any regulated substance or hazardous materials that are not immediately contained and cleaned up so that it poses no threat to the aquifer.

**District**: See "Zoning District."

**DNR**: The Indiana Department of Natural Resources.

**Domestic Pets**: See "Pets, Domestic."

**Drive, Private**: See "Street, Private."

**Drive-Through Establishment:** A place of business, being operated for the sale and purchase at retail of food and other goods, services, or entertainment, which is laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their automobiles.

**Duplex:** See "Dwelling, Single-family Attached."

**Dwelling:** A building or structure or portion thereof, conforming to all requirements applicable to the district in which it is located, all Building Codes, and that is used exclusively for residential occupancy, including single-family attached dwelling units, single-family detached dwelling unit, and multiple-family dwelling units, but excluding hotels, motels, and boarding houses.

**Dwelling, Manufactured Home:** A single-family dwelling unit designed and built in a factory, installed as a permanent residence, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law (1974 U.S.C. 5401 et seq.), and which also complies with the following specifications:

1. Was constructed after January 1, 1981, and exceeds 950 square feet of occupied space per *IC 36-7-4(d)*,
2. Is attached to a permanent foundation of masonry construction and has a permanent concrete or concrete block perimeter enclosure constructed in accordance with the One and Two Family Dwelling Code,
3. Has wheels, axles, and towing chassis removed,
4. Has a pitched roof with a minimum of two (2) vertical units to twelve (12) horizontal units (2:12 pitch), and
5. Consists of two (2) or more sections which, when joined, have a minimum dimension of twenty-three (23) feet in width for at least sixty percent (60%) of its length.

**Dwelling, Mobile Home:** A transportable dwelling unit which is a minimum of eight (8) feet in width and which is built on a permanent foundation or tied down with perimeter skirting when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained therein, and which was manufactured either:

1. Prior to June 15, 1976 and bears a seal attached under Indiana Public Law 135, 1971, certifying that it was built in compliance with the standards established by the Indiana Administrative Building Council, or
2. Subsequent to or on June 15, 1976 and bears a seal, certifying that it was built in compliance with the Federal Mobile Home Construction and Safety Standards.

**Dwelling, Multiple-family:** A residential structure designed to be occupied by four (4) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

**Dwelling, Single-family:** See "Dwelling, Single-family Attached" or "Dwelling, Single-family Detached."

**Dwelling, Single-family Attached:** An attached residential dwelling unit designed to be occupied by two (2) or three (3) family, with the number of families in residence not exceeding the number of dwelling units provided.

**Dwelling, Single-family Detached:** A detached residential dwelling unit designed to be occupied by one (1) family. A single-family dwelling shall be at least twenty-three (23) feet wide for sixty percent (60%) of its length.

**Dwelling Site:** A site within a manufactured home park and/or mobile home park with required improvements and utilities that is leased for the long-term placement of a manufactured home and/or mobile home.

**Dwelling Size:** The overall square footage of a dwelling unit. The dwelling size does not include a garage, carport, deck, unfinished storage, patio, or open porch.

**Dwelling, Two-family:** See "Dwelling, Single-family Attached."

**Dwelling Unit:** A single unit for owner occupancy or for rent/lease, physically separated from any other dwelling units which may be in the same structure, and providing complete and independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation. Examples of a dwelling unit include a single-family dwelling, multiple-family dwelling, manufactured home dwelling and farmstead.

## Definitions - E

**Easement**: A grant by a property owner ("grantor") to specific persons, the general public, corporations, utilities, or others ("grantee" or "easement holder"), for the purpose of providing services or access to the property.

**Ed-Med-Tech Park District**: Refers to the EP District.

**Electronic Changeable Copy**: See "Sign, Electronic Changeable Copy."

**EPA**: United States Environmental Protection Agency.

**Erosion**: The wearing away of the land surface by water, wind, ice, gravity, or other geological agents.

**Established Building Setback**: See: "Setback, Established Building."

**Excessive Extraction**: A withdrawal of groundwater from an aquifer that results in or may result in the lowering of the water level or piezometric surface to such an extent as to interfere with the normal operation of existing private, industrial or municipal water wells. Excessive extraction is also defined as withdrawal from an aquifer which will lead to desaturation of the aquifer or desaturation to a point where consolidation of the aquifer material occurs, preventing any further recharge of the aquifer from occurring.

**Exotic, Pets**: See "Pets, Exotic."

**Expressway**: See "Interstate/Expressway."

## Definitions - F

**FAA:** Federal Aviation Administration.

**Farmstead:** A single-family dwelling unit that is located on and used in connection with a farm.

**Fair Housing Facility (large):** To prevent the discrimination of mentally or physically disabled persons, these facilities have been identified as types of housing that are permitted in certain districts, but still must meet "nondiscriminatory" health, fire, safety, and building regulations. These facilities include:

1. Group homes for children in need of service under *IC 31-34-1* or children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*; and specifically a facility that houses more than ten (10) children.
2. Residential Facility for the Developmentally Disabled which provides residential services for more than eight (8) developmentally disabled individuals as described in *IC 12-28-4*.

**Fair Housing Facility (small):** To prevent the discrimination of mentally or physically disabled persons, these facilities have been identified as types of housing that are permitted in any single-family or multiple-family residential zoning districts, but still must meet "nondiscriminatory" health, fire, safety, and building regulations. These facilities include:

1. Group homes for children in need of service under *IC 31-34-1* or children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*; and specifically a facility that houses not more than ten (10) children.
2. Residential Facility for the Developmentally Disabled which provides residential services for eight (8) developmentally disabled individuals or less as described in *IC 12-28-4*.
3. Residential Facility for the Mentally Ill which provides residential services for mentally ill individuals as described in *IC 12-28-4*. No two (2) Residential Facilities for the Mentally Ill shall be within 3,000 feet of one another in the planning jurisdiction as stated in Indiana Code.

**Family:** An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than three (3) persons, not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit.

**FBFM:** Flood Boundary and Floodway Map.

**FCC:** Federal Communications Commission.

**FEMA:** United States Federal Emergency Management Agency.

**FHBM:** Flood Hazard Boundary Map.

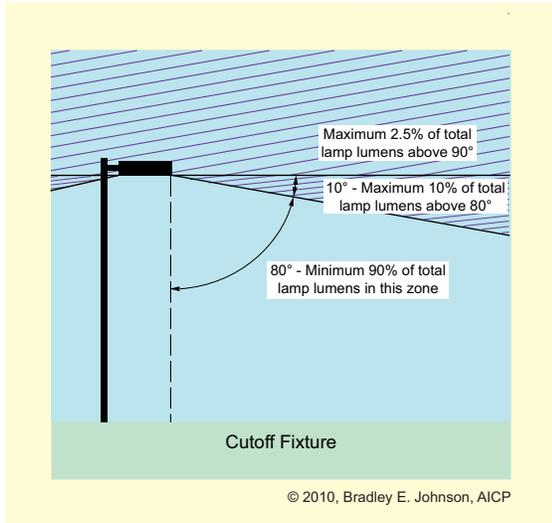
**Financial Services Office:** See "Office, Financial Services."

**FIRM:** Flood Insurance Rate Map.

# Definitions - F

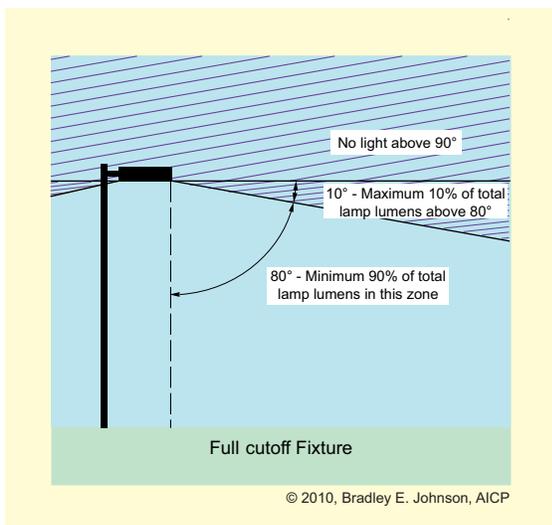
**Fixture, Cutoff:** A luminaire that:

1. Projects at least ninety percent (90%) of the total lamp lumens below eighty degrees (80°) from vertical;
2. Does not allow more than ten percent (10%) of the total lamp lumens above eighty degrees (80°) from vertical; and
3. Does not allow more than two and one-half percent (2.5%) of the total lamp lumens above ninety (90°) from vertical.



**Fixture, Full-cutoff:** A luminaire that:

1. Projects at least ninety percent (90%) of the total lamp lumens below eighty degrees (80°) from vertical;
2. Does not allow more than ten percent (10%) of the total lamp lumens above eighty degrees (80°) from vertical; and
3. Does not allow any lamp lumens above ninety degrees (90°) from vertical.

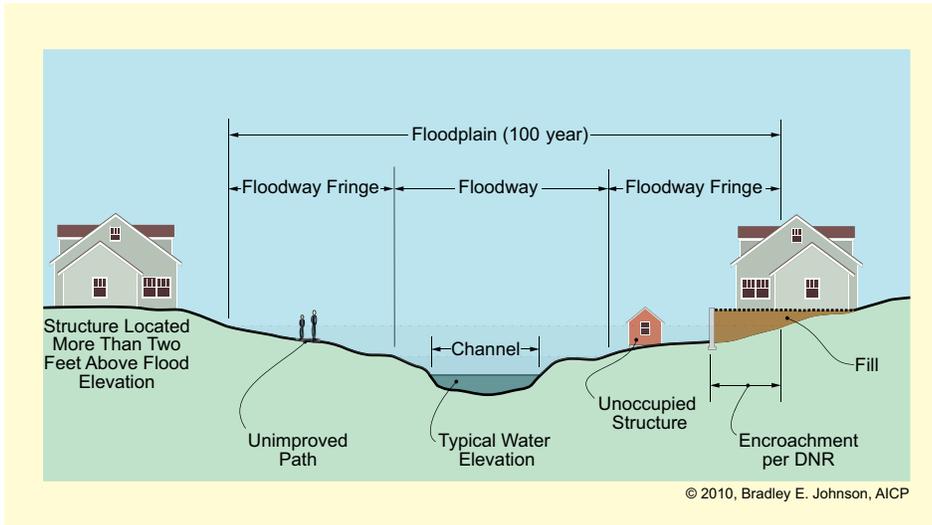


**Fixture, Non-cutoff:** A luminaire with no control of the horizontal distribution of luminance.

**Flood Protection Grade (FPG):** The elevation of the regulatory flood plus two (2) feet at any given location in the SFHA.

**Flood, Regulatory:** A flood having a peak discharge which can be equalled or exceeded on the average of once in a 100 period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission; Further, this flood is equivalent to a flood having a one percent (1%) probability of occurrence in any given year.

**Floodplain:** The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by flood water. The flood plain includes the channel, floodway, and floodway fringe. Flood plain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration.



**Floodway, Regulatory:** The channel of a river or stream and those portions of the flood plains adjoining the channel which are reasonably required to efficiently carry and discharge peak flow of the regulatory flood of any river or stream and, is that area covered by floodwaters in significant downstream motion or covered by significant volumes of stored water during the occurrence of the regulatory flood.

**Floor Area:** The sum of all horizontal surface areas of all floors of all roofed portions of a building enclosed by and within the surrounding exterior walls or roofs, or to the center line(s) of party walls separating such buildings or portions thereof. Floor area of a building shall exclude exterior open balconies and open porches.

**Floor Area, Main:** That portion of floor area constructed, completed, and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, working, entertainment, common space linking rooms, areas for personal hygiene, or combination of those areas located on the first (or nearest ground level) floor of the structure. The Main Floor Area of a primary structure does not include a garage, carport, deck, unfinished storage, patio, or open porch.

**Foundation:** The supporting member of a wall or structure.

**Freeway:** See "Interstate/Expressway."

**Front Facing Structure:** Any building facade that is within forty-five degrees (45°) of parallel to an adjacent public or private street.

**Front Line:** With respect to a building, the foundation line that is nearest the front lot line.

**Front Lot Line:** See "Lot Line, Front."

**Front Yard:** See "Yard, Front."

**Frontage:** See "Lot Frontage."

## Definitions - G

**Garage:** An attached or detached building designed to house one (1) or more motor vehicles with:

1. At least one eighth-foot (8') wide garage door,
2. A driveway or other improved surface allowing a motor vehicle to gain access to the garage from a public street, private street or alley, and
3. Interior space at least nine (9) feet wide and nineteen (19) feet deep allowing a vehicle to be parked inside.

**Geographic Information System (GIS):** A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis and modeling.

**GIS:** See "Geographic Information System (GIS)."

**Golf Course:** An area of terrain on which the game of golf is played during daylight hours. A golf course includes greens, fairways, natural areas. A golf course may also include a driving range when integrated with the golf course operations and hours.

**Grade, Finished:** The average elevation of the finished surface of the ground within ten (10) feet of the structure after final grading.

**Grantee:** A person to whom an interest in property is granted.

**Gross Floor Area:** The sum of all horizontal floor area of all floors within a structure.

**Ground Floor Area:** See "Floor Area, Main."

**Ground Water:** The water contained within the earth's surface recharged from precipitation, streams, ponds and lakes.

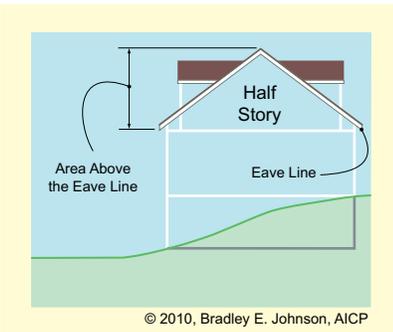
**Group Home:** A facility that houses not more than ten (10) children that are either:

1. In need of service under *IC 31-34-1*; or
2. Children who have committed a delinquent act under *IC 31-37-2-2*, *IC 31-37-2-3*, or *IC 31-37-2-5*.

Group homes are not subject to covenants, deeds or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property but prohibit the use of that property as a group home as a matter of State public policy reasons. Group homes cannot be prohibited on the grounds that they are a business, the persons living in a group home are not related, or any other reason. All group homes must abide by *IC 12-17.4-5* and shall be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

# Definitions - H

**Half Story:** A story within a building located above the eave line of the roof structure having windows in gables or dormers. "Above the eave line" shall include floor elevations of the half story within one (1) foot of physically being above the eave line.



**Hardship:** A difficulty with regard to one's ability to improve land stemming from the application of the development standards of this Unified Development Ordinance, which may or may not be subject to relief by means of variance. In and of themselves, self-imposed situations and claims based on a perceived reduction of or restriction on economic gain shall not be considered hardships. Self-imposed situations include: the purchase of land with actual or constructive knowledge that, for reasons other than physical characteristics of the property, the development standards herein will inhibit the desired improvement; any improvement initiated in violation of the standards of this Unified Development Ordinance; any result of land division requiring variance from the development standards of this Unified Development Ordinance in order to render that site buildable.

**Hazardous Materials:** A material which is defined in one or more of the following categories:

1. **Ignitable:** A liquid with a flashpoint of less than 140° F; a solid which may cause fires through friction, spontaneous chemical changes, or absorption of moisture; an oxidizer (e.g. gasoline, white phosphorous, peroxide).
2. **Carcinogenic:** A gas, liquid, or solid which is normally considered to be cancer causing or mutagenic (e.g. PCBs in some waste oils).
3. **Explosive:** A reactive gas, liquid, or solid which will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure, or combinations thereof (e.g. dynamite, organic peroxides, and ammonium nitrate).
4. **Highly Toxic:** A gas, liquid, or solid so dangerous to humans as to afford an unusual hazard to life (e.g. parathion and chlorine gas).
5. **Moderately Toxic:** A gas, liquid, or solid which, through repeated exposure or in a single large dose, can be hazardous to humans (e.g. Atrazine).
6. **Corrosive:** Any material, whether acid or alkaline, which will cause severe damage to human tissue, or in case of leakage might damage or destroy other containers of hazardous materials and cause the release of their contents (e.g. battery acid, phosphoric acid, and lye).
7. **Reactive:** A substance that reacts violently with water; forms potentially explosive mixtures with water; generates cyanide or sulfide fumes in quantities dangerous to human health; or is capable of detonation (e.g. sodium).

**Hazardous Substance:** Substances as listed in *Federal Code, Title 40: Protection of Environment; Part 116* in quantities greater than listed in *Federal Code, Title 40: Protection of Environment; Part 117*; based on the authority of *Sections 311(b)(2)(A) and 501(a), Federal Water Pollution Control Act (33 U.S.C. 1251 et seq)*.

**Height:** See "Structure Height."

**High Impact District:** Refers to the HI District.

# Definitions - H

**Hobby Farming:** The use of land for purposes, including: dairying, pasturage, apiculture, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry. Processing and storage of harvested produce or other end products shall not be allowed on site. The hobby farming use(s) shall not exceed forty percent (40%) of the land area of the lot and shall abide by all setback regulations. Hobby farming cannot be the primary income source for the owner, operator or household on site. Hobby farming shall not include feed lots, stock yards, or the commercial feeding of garbage or offal to swine or other animals.

**Home Based Business (Type 1):** A business activity conducted completely within a dwelling unit, carried on by any lawful resident of the property and is clearly incidental and secondary to the use of the dwelling for residential purposes. Home Based Business (Type 1) uses may include a home office, professional services, internet business, or clergy office and are further listed and regulated in the *Home Business Standards* in Article 5.

**Home Based Business (Type 2):** A business activity conducted completely within a dwelling unit, carried on by any lawful resident of the property and one (1) employee and is clearly incidental and secondary to the use of the dwelling for residential purposes. Home Based Business (Type 2) uses may include domestic crafts, art and music teaching, tutoring, or hair cutting/styling and are further listed and regulated in the *Home Business Standards* in Article 5.

**Home Based Business (Type 3):** A business activity conducted completely within a dwelling unit and/or an accessory structure, carried on by any lawful resident of the property and his/her employees and is clearly incidental and secondary to the use of the dwelling for residential purposes. Home Based Business (Type 3) uses may include assembly of products, automobile repair, landscaping/lawn care business, or light manufacturing and are further listed and regulated in the *Home Business Standards* in Article 5.

**Homeowner Association:** See "Owners' Association."

**Hospital:** An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

**Hotel:** A building in which temporary overnight lodging is provided and offered to the public for a fee; and in which ingress and egress to and from at least ninety percent (90%) of all rooms is made through an inside lobby, hallway, or other internal space; and which is staffed by at least one (1) person at all hours. A hotel may include incidental and complementary uses such as a restaurant, business services, and swimming pools. An attached conference center or indoor water park may also be included with a hotel. Fees for overnight rooms must be charged by one-day or greater increments.

**Household Pet:** See "Pets, Household."

**Hub Height:** The distance measured from grade to the central axis of the rotors on a horizontal axis wind turbine.

# Definitions - I

**IAC:** Indiana Administrative Code.

**IC:** Indiana Code.

**IDEM:** Indiana Department of Environmental Management.

**Illuminance:** The total amount of visible light illuminating (incident upon) a point on a surface from all directions above the surface (i.e. how brightly a surface is illuminated). Illuminance is measured in lux.

**Impervious Surface:** Any material that prevents absorption of stormwater into the ground such as concrete or asphalt. This does not include gravel, rock, or stone.

**Impervious Surface Coverage:** The area of a lot occupied by the primary structure, any accessory structures, and impervious surface.

**Improved Lot:** See "Lot, Improved."

**Improvement:** Any permanent structure that becomes part of, placed upon, or is affixed to real estate, or any alteration to the land.

**Improvement Location Permit:** A permit issued under the Unified Development Ordinance prior to receiving a Building Permit, permitting a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, occupy, use, improve, remove, convert, or demolish any building or structure within its jurisdiction, or permitting a person to change the condition of the land.

**Improvement, Off-site:** Any premises not located within the area of the property to be subdivided, used, or built upon whether or not in the same ownership of the applicant for subdivision approval.

**Incidental:** A minor occurrence or condition which is customarily associated with a permitted use and is likely to ensue from normal operations.

**INDOT:** Indiana Department of Transportation.

**Industry, Light:** See "Manufacturing, Light."

**Industry, Heavy:** See "Manufacturing, Heavy."

**Industrial District:** Refers to the IC, I1 and I2 districts.

**Infill Lot:** A vacant lot in an established and previously developed area where ninety percent (90%) of all lots within 200 feet or all adjacent lots, whichever encompasses more lots, have a primary structure.

**Institutional District:** Refers to the IS District.

**Intense Agricultural District:** Refers to the IA District. The IA District shall not be considered an agricultural district.

**Interior Lot:** See "Lot, Interior."

**Interstate/Expressway:** Any roadway that operates at a high service level, consists of limited access, is divided, carries region-wide traffic and is generally classified as part of the interstate system, as depicted in the *City of Richmond Comprehensive Plan*.

## Definitions - J - K

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**Junk:** An automobile, truck, other motor vehicle, watercraft, large appliances, furniture, or like materials which have been damaged to such an extent that they cannot be operated under their own power or used and/or will require major repairs before being made usable. This also includes such a vehicle which does not comply with State or City vehicle licensing or other laws or ordinances.

**Junk Yard:** A place, usually outdoors, where waste or discarded used property, including but not limited to automobiles, farm implements, and trucks, is accumulated and is or may be salvaged for reuse or resale. This does not include industrial scrap metal or accumulation of organic matter.

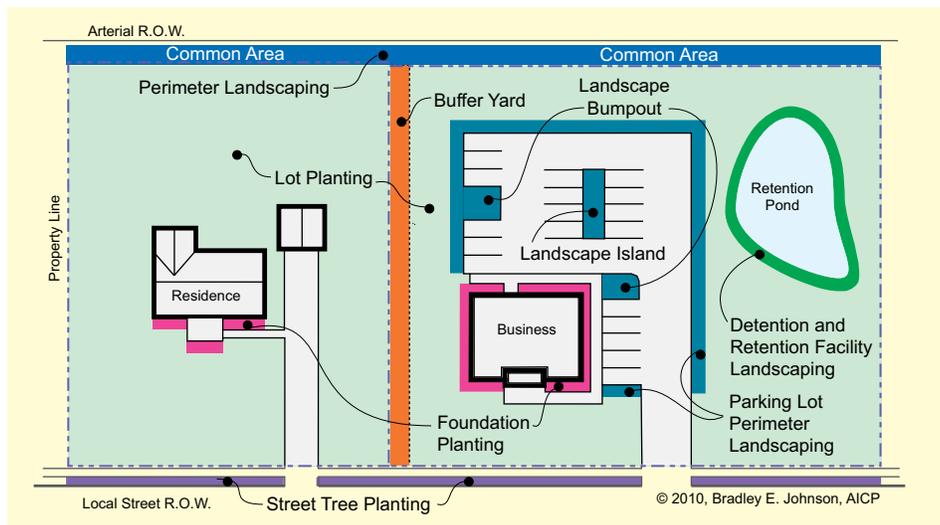
**Jurisdiction:** See "Planning Jurisdiction."

**Juvenile Detention Facility:** A facility that holds children or minors (typically under 18 years of age) for punishment and/or counseling as a result of sentencing by a court of jurisdiction for criminal or antisocial behavior.

**Kennel:** A place primarily for boarding dogs, cats, or other household pets that are ordinarily bred for sale as pets, including temporary care facilities for animals for compensation.

## Definitions - L

**Landscape Areas:** Places on a lot or abutting right-of-way that are identified for application of landscaping regulations. Landscape areas include: street tree planting areas, parking lot planting areas, foundation planting areas, bufferyard areas, and perimeter planting areas. The below image conceptually demonstrates the general location of each landscape area.



**Landscape Buffer:** A continuous landscaped area designed, maintained, and used for screening and separation of uses, lots, or structures.

**Landscape Material:** Trees, shrubs, plants, decorative fences, retaining walls, walls, earthen mounds, irrigation systems, flower beds, decorative rocks, edging, mulch, stakes, and the like. Artificial trees, shrubs, ground cover, and flowers are not considered landscape material.

**Landscape Structure:** Decorative fences, walls, retaining walls, edging, and the like.

**Landscaping:** The improvements of a lot with grass, shrubs, trees, and other vegetation and/or ornamental objects. Landscaping may include pedestrian walks, flower beds, berms, fountains, and other similar natural and man-made objects designed and arranged to produce an aesthetically pleasing effect.

**Legal Nonconforming Structure:** Any continuously occupied, lawfully established structure prior to the effective date of the Unified Development Ordinance, or its subsequent amendments, that no longer meets the development standards.

**Legal Nonconforming Lot of Record:** Any legally established and recorded lot prior to the effective date of this Unified Development Ordinance, or its subsequent amendments, that no longer meet the lot-specific development standards.

**Legal Nonconforming Sign:** Any sign lawfully existing on the effective date of this Unified Development Ordinance, or its subsequent amendments, that no longer meets the development standards.

**Legal Nonconforming Use:** Any continuous, lawful use of structures, land, or structures and land in combination established prior to the effective date of the Unified Development Ordinance, or its subsequent amendments that is no longer a permitted use in the zoning district where it is located.

**Loading Space:** An off-street space for temporary parking of delivery and pickup vehicles.

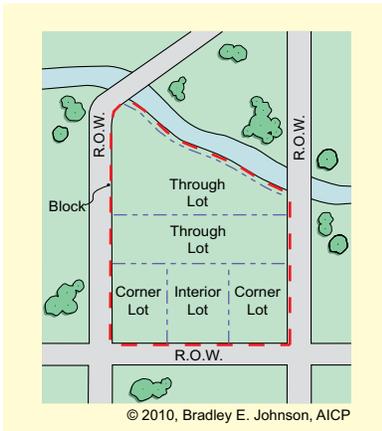
**Local Street:** See "Street, Local."

**LOMA:** FEMA Letter of Map Amendment.

**LOMR:** FEMA Letter of Map Revision.

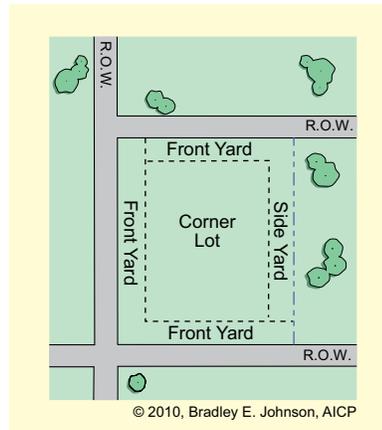
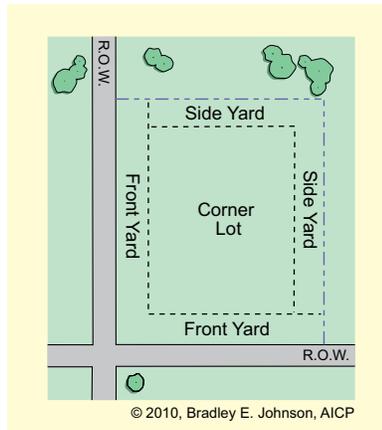
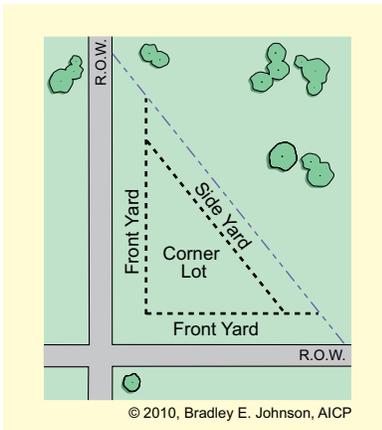
# Definitions - L

**Lot:** A piece, parcel or tract of land designated by its owner or developer to be used, developed or built upon as a unit under single or multiple ownership or control. There are generally three types of lots identified in the Unified Development Ordinance: interior lots, corner lots, and through lots.



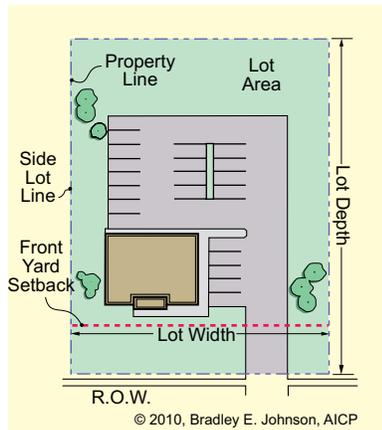
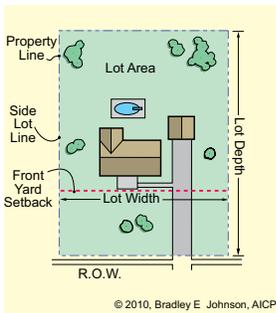
**Lot, Buildable:** See "Lot, Improved."

**Lot, Corner:** A lot situated at the intersection of two streets or which fronts a street on two (2) or more sides forming an interior angle of less than one hundred thirty-five degrees (135°).



**Lot Coverage:** The area of a lot occupied by the primary structure, any accessory structures and impervious surface.

**Lot Area:** The area of a horizontal plane bounded by the front, side, and rear lot lines, excepting any easement or right-of-way for public streets.



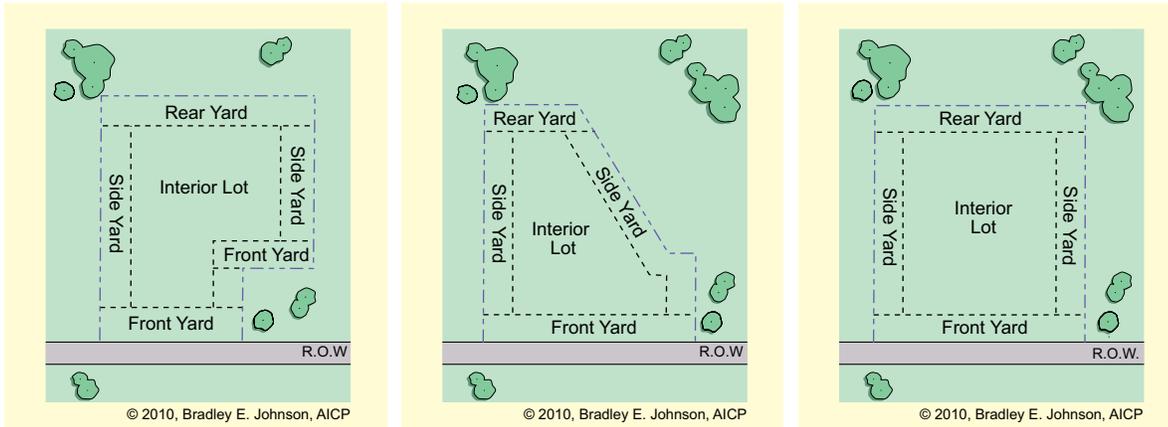
**Lot Depth:** The horizontal distance between the front and rear lot lines. (See Graphics for "Lot Area")

**Lot, Developed:** A lot with structures situated thereon.

**Lot Frontage:** The length of the front lot line bordering upon a public right-of-way. The lot frontage is determined by measuring the total distance in which the front lot line touches a public right-of-way. Lot frontage requirement for a cul-de-sac lot is one-half (0.5) the distance required for standard lots.

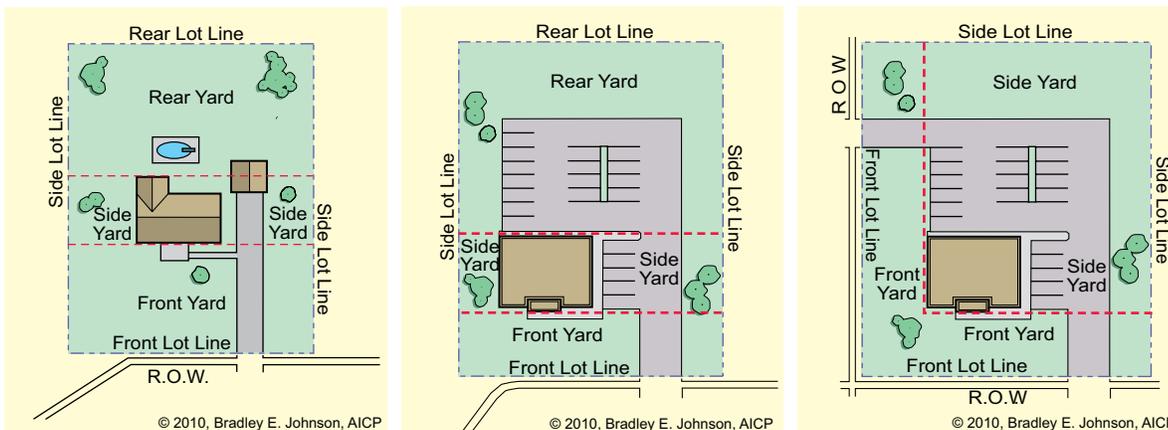
**Lot, Improved:** A lot upon which a structure may be constructed and occupied as a result of the fact that it has frontage on and access to an improved street, meets minimum setback requirements, and has all necessary utilities available to the lot such as sewer, water, electricity, etc.

**Lot, Interior:** A lot other than a corner lot or a through lot.



**Lot Line:** A line marking the boundary between the subject lot and an adjacent lot, right-of-way, common area, lake, or waterway. A lot line is also known as a property line.

**Lot Line, Front:** The line marking the boundary between the lot and the abutting street, right-of-way or a lake or watercourse

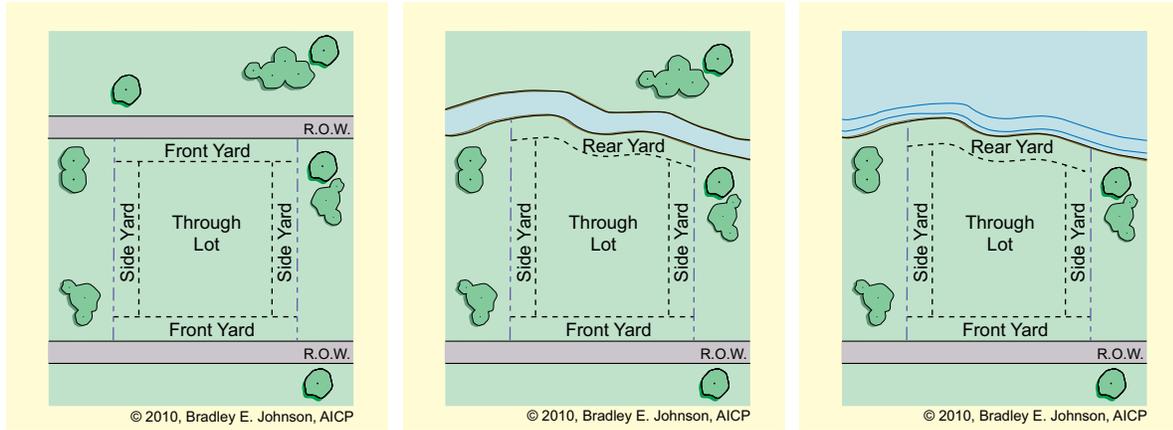


**Lot Line, Side:** A lot boundary line other than a front or rear lot line. (See Graphic for "Lot Line, Front")

**Lot Line, Rear:** The lot line that is opposite and farthest from the front lot line. (See Graphic for "Lot Line, Front")

**Lot of Record:** A lot which is a part of a subdivision recorded in the office of the County Recorder, or a parcel or lot described by metes and bounds, a description of which has been so recorded.

**Lot, Through:** A lot fronting on two (2) parallel or approximately parallel streets, or abutting two (2) streets which do not intersect at the boundaries of the lot. Also includes lots fronting on both a street and a watercourse or lake. Accessory buildings are allowed in front yards facing watercourses or lakes.



**Lot Width:** The distance between the side lot lines as measured at the established building setback. Cul-de-sac and irregular shaped lots shall measure their front lot widths along the front setback line from one side lot line to the other. (See Graphic for "Lot Area")

**Low Impact Development Techniques:** A subset of BMPs that use nonstructural and structural techniques to minimize the impact of development on the hydrology of a site. Examples include; preservation of natural areas, vegetative filter and buffers and pervious paving materials.

**Low Voltage:** A direct current (i.e. DC) electrical system. For example, most landscape lighting purchased from home improvement stores are low voltage systems using DC.

**Low Wattage Light:** A lighting fixture which generally does not cause issues with light trespass or glare. Under no circumstances does a low wattage light not exceed the lumen output of a 100 watt incandescent bulb, 26 watt compact fluorescent bulb or 14 watt LED bulb. Examples of a low wattage light include a carriage light on a residence or dusk-to-dawn post lamp in front of a residence. Under no circumstances shall a mercury vapor, metal halide, mercury-halide, sodium vapor, neon or xenon lamp be considered a low wattage light.

**Lowest Floor:** Means the lowest elevation described among the following:

1. The lowest floor of a structure.
2. The basement floor.
3. The garage floor, if the garage is connected to the structure.
4. The first floor of a structure elevated on pilings or constructed on a crawl space.
5. The floor level of an enclosure structure below an elevated structure where the walls are designed to automatically equalize hydrostatic flood forces by allowing for the entry and exit of flood water; and at least two (2) openings are designed and maintained for the entry and exit of flood water. The openings shall provide a total area of at least one (1) square inch for every one (1) square foot of enclosed floor area subject to flooding. The bottom of an opening can be no more than one (1) foot above grade. Doorways and windows do not qualify as openings under this clause

**Lumens:** Unit of luminous flux in the International System of Units (SI) equal to one candela per steradian. Used to measure the amount of light emitted by lamps.

**Lux:** Unit of illuminance in the International System of Units (SI) equal to one lumen per square meter.

## Definitions - M

**Main Floor Area:** See "Floor Area, Main."

**Manual Changeable Copy:** See "Sign, Manual Changeable Copy."

**Maneuvering Space:** An open space in a parking area which:

1. Is immediately adjacent to a parking space,
2. Is used for turning, backing, or driving forward a motor vehicle into such parking space, but
3. Is not used for the parking of or storage of motor vehicles.

**Manufactured Home:** See "Dwelling, Manufactured Home."

**Manufactured Home Park:** A parcel of land containing two (2) or more dwelling sites, with required improvements and utilities, that are leased for the long term placement of Mobile Home Dwellings and/or Manufactured Home Dwellings, and shall include any street used or intended for use as part of the facilities of such Manufactured Home Park. A Manufactured Home Park does not involve the sales of Mobile Home Dwellings or Manufactured Home Dwellings in which unoccupied units are parked for inspection or sale.

**Manufactured Home Park District:** Refers to the MP District

**Manufacturing, Heavy:** The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that otherwise do not constitute light manufacturing, and which may include open uses and outdoor storage. Heavy manufacturing generally includes processing and fabrication of products made from extracted or raw materials. Heavy manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a permitted use or special exception.

**Manufacturing, Light:** The assembly, fabrication or processing of goods and materials using processes that ordinarily do not create noise, smoke, fume, odors, glare or health or safety hazards outside of the structure or lot where such assembly, fabrication, or processing of goods are housed entirely within an enclosed building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials. Light manufacturing shall not include any use that is otherwise listed specifically in any zoning district as a permitted use or special exception.

**Marker (survey):** A stake, pipe, rod, nail, or any other object which is not intended to be a permanent point for record purposes.

**Master Plan:** See "Comprehensive Plan."

**Maximum Lot Coverage:** The highest amount of impervious surface coverage permitted by the Unified Development Ordinance.

**Medical Center:** A medical clinic dedicated primarily for students, employees and associates from a college or university.

**Medical Clinic:** An establishment in which human patients are admitted for medical or dental study or treatment and in which the services of at least two (2) physicians or dentists are provided.

**Medical Office:** See "Office, Medical."

**Meteorological Tower:** A tower that hosts weather instrumentation to evaluate meteorological conditions.

**Minor Street:** See "Street, Local."

**Mixed Use Overlay District:** Refers to the MUO District.

**Mobile Home:** See "Dwelling, Mobile Home."

**Mobile Home Park:** See "Manufactured Home Park."

**Modular Home:** See "Dwelling, Manufactured."

**Monument (survey):** A permanent physical structure which marks the location of a corner or other survey point.

**Motel:** A building in which temporary overnight lodging is provided and offered to the public for a fee; and in which ingress and egress to and from eleven percent (11%) to 100% of all rooms is made through exterior spaces; and which is staffed by at least one (1) person for at least eighteen (18) hours per day. A motel may include incidental and complementary uses such as a café, business services, and swimming pool. Fees for overnight rooms shall be charged by one-day or greater increments.

**Motor Home:** See "Recreational Vehicle."

## Definitions - M

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**Motor Vehicle**: Any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer, boat, recreational vehicle, semitrailer, or any other vehicle propelled or drawn by mechanical power.

**Mound**: A landscape feature used for screening in which earth is piled up in irregular, round or oblong shapes. Particularly, mounds do not have consistent crest elevations, but are irregular in form and overlapping such to emulate a more natural landscape feature. Mounds in combination with other landscape material are used to block or partially block visibility from one side to the other.

**Multiple-family Residential District**: Refers to the M1 and M2 district.

**Mural**: See "Sign, Mural."

# Definitions - N

**Nacelle**: A housing, cover, or structure that surrounds a generator and its mechanical and electrical components, typically associated with a wind turbine.

**Natural Stone**: A building or landscaping material which is derived from the earth in whole, or that is man-made from durable material to significantly resemble earth-formed stone. Natural stone includes earth-formed stone which is quarried, cut, or otherwise formed for its intended use as a building or landscaping material. Natural stone does not include cinder block, split-faced block, brick, mortar, ceramic tile, porcelain, concrete pavers, asphalt blocks, or the like.

**Nautical Mile**: A nautical mile is equal to 6,076.1155 feet or 1,852 metres.

**Neighborhood Transition Overlay District**: Refers to the NTO District.

**NFIP**: The National Flood Insurance Program.

**NGVD**: The National Geodetic Vertical Datum of 1929.

**NIT**: A photometric unit of illuminative brightness equal to cd/m<sup>2</sup> (candelas per square meter).

**Noise Sensitive Use**: The use of a structure for a purpose that would be adversely impacted by noise associated with nearby aircraft operations including aircraft overflights. Noise Sensitive Uses include but are not limited to residences, schools, places of worship, child care facilities, retirement homes, and nursing homes.

**Nonconforming Building**: See "Nonconforming Structure."

**Nonconforming Structure**: A building, structure, or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

**Nonconforming Lot of Record**: A lot which was created such that it does not conform to the regulations of the district in which it is located.

**Nonconforming Sign**: A sign or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

**Nonconforming Use**: A use which does not conform with the use regulations of the district in which it is located.

**North Corridor Overlay District**: Refers to the NCO District.

**Nursing Home**: A private home for the care of the aged or infirm, or any other person in need of nursing care; and which does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction.

# Definitions - O

**Office:** A place in which business, professional and/or clerical activities are conducted. Offices shall include medical offices, government offices, and office functions which serve other off-site land uses.

**Office, Construction Trade:** Electrical contractor, general contractor, heating and cooling contractor, landscaping contractor, plumbing contractor office, and the like.

**Office, Design Service:** Architecture firm, engineering firm, graphic design firm, planning firm, and the like.

**Office, General Service:** Employment service, insurance office, law office, membership association, publishing corporate office, reading clinic, real estate office, secretarial service, service organization, temporary service agency, title company, trade office, travel agency, and the like.

**Office, Medical Service:** Emergency medical clinic, dental clinic, medical clinic, optical clinic, rehabilitation clinic, veterinarian clinic/hospital, and the like.

**Official Zoning Map:** A map of Richmond, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. There is only one Official Zoning Map, and it is kept up to date by the Plan Commission and the Zoning Administrator.

**Official Zoning Map Copies:** A map of Richmond, Indiana, that legally denotes the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. These maps may be out of date.

**Off-Site Improvement:** See "Improvement, Off-Site."

**Open Space:** An area of land not covered by buildings, structures, parking areas, or accessory uses except for recreational structures. Open space may include nature areas, streams, floodway fringe, meadows, or open fields containing baseball fields, football fields, soccer fields, golf courses, swimming pools, bicycle paths, etc. Open space does not include street rights-of-way, floodways, wetlands, platted lots, private yards, or land for future development.

**Ornamental Tree:** A deciduous tree that does not grow to over thirty (30) feet in height at maturity. Ornamental trees typically are flowering trees.

**OSHA:** Occupational Safety and Health Administration.

**Outdoor Pet:** See "Pets, Outdoor."

**Outdoor Storage:** See "Storage, Outdoor."

**Owner:** Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations, or their legal representative.

**Owners' Association:** A legal means for managing common areas or common property amongst a multiple-lot or multiple-owner development, established in perpetuity. A common type of owner association is a home owners association for a subdivision, which is incorporated as a legal entity and is managed by an elected board of directors. A simpler type of owner association can be a contract between all the owners committing one another to the maintenance cost of shared assets (e.g. a private street or retention pond).

## Definitions - P

**Parcel**: See "Lot."

**Parent Tract**: A lot of record as recorded on the effective date of this Unified Development Ordinance. Multiple pieces (lots) owned by one person, persons in partnership, or a company and are contiguous shall together be considered one parent tract. Streets, rivers, easements, and other built or natural features shall not constitute a separation of two (2) or more pieces of land owned by one person, persons in partnership, or a company.

**Park, Public**: A parcel of land available to the public for passive and active recreation and is maintained and governed by the City of Richmond.

**Parking, Required**: The minimum number of off-street parking spaces specified for a particular use or uses by the Unified Development Ordinance.

**Parking Space, Automobile**: Space within a public or private parking area for the storage of one (1) passenger automobile or commercial vehicle under a one and one-half (1.5) ton capacity

**Parks and Recreation District**: Refers to the PR District.

**Paved**: A durable surface for parking, driving, riding or similar activities that utilizes asphalt, concrete, brick, paving blocks or similar material. Crushed gravel, stone, rock, dirt, sand, or grass are not permitted as a paved surface.

**Performance Bond**: An amount of money or other negotiable security paid by the subdivider, developer, or property owner, or his surety to the City of Richmond which guarantees the subdivider, developer, property owners, or his surety will perform all actions required by the City regarding an approved plat or in other situations as stated forth in the Unified Development Ordinance and/or as deemed by the Zoning Administrator that provides that if the subdivider, developer, property owner, or his surety defaults and fails to comply with the provisions of his approval, the subdivider, developer, property owner, or his surety will pay damages up to the limit of the bond, or the surety will itself complete the requirements of the approval.

**Permanent Foundation**: A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

**Permanent Perimeter Enclosure**: A permanent perimeter structural system completely enclosing the space between the floor joists of the home and the ground, except for the necessary openings, constructed in accordance with the One- and Two-family Dwelling Code.

**Permitted Use**: See "Use, Permitted."

**Person**: A corporation, firm, partnership, association, organization, unit of government, or any other group that acts as a unit, as well as a natural person.

**Personal Service**: An establishment, other than an office, in which services other than health care are rendered to consumers on an individual basis, such as barber shops and beauty parlors.

**Pets, Domestic**: Animals commonly used as household pets, protection, companions, and for assistance to disabled persons. Domestic pets shall include animals that are cared for and treated in a manner acceptable for pet dogs, cats, and birds. Domestic pets shall include, but not be limited to, dogs, cats, parakeets, parrots, finches, lizards, spiders, guinea pigs, hamsters, gerbils, rats, mice, rabbits, aquarium fish, ferrets, and snakes if cared for in the manner described above.

**Pets, Exotic**: Animals raised and bred healthy and humanely for unique pets or entertainment, or animals rescued from the wild or from zoos. Exotic animals are primarily securely caged animals. Exotic animals do not include outdoor pets, household pets, or farm animals. Examples of exotic animals include: lions, tigers, wolves, coyotes, and elephants.

**Pets, Household**: Domestic pets maintained healthy and humanely within the confines of a dwelling unit. Household pets includes hobby breeding of domestic animals as long as the frequency of breeding is limited to one (1) litter per year per household (i.e. not one litter per animal). Household pets do not include outdoor pets, farm animals, pigmy goats, potbelly pigs, or rabbits. Examples of household pets include: dogs, cats, mice, snakes, hamsters, ferrets, and birds.

**Pets, Outdoor**: Domestic pets maintained healthy and humanely within the confines of the lot. Outdoor pets includes hobby breeding of domestic animals as long as the frequency of breeding is limited to one (1) litter per year per household. Outdoor pets do not include farm animals, rabbits, mice, snakes, hamsters, ferrets, or birds. Examples of outdoor pets include: dogs and cats.

**Place of Worship**: Structures or outdoor areas used for public worship, which may include ancillary uses such as educational, cultural, or social gatherings.

## Definitions - P

**Plan Commission:** A group serving a single local government jurisdiction established under the *IC 36-7-1-2* as amended. The City of Richmond Plan Commission is Advisory Plan Commission.

**Planned Development (PD):** A large-scale unified development meeting the requirements for zoning approval under the provisions of *Article 4* of the Unified Development Ordinance. Generally a planned development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of structures, density, lot coverage, and required open space to the regulations established in any district of the Unified Development Ordinance. Clustered housing (dwellings built in innovative lot arrangements around common open space) and zero lot line housing (dwellings built immediately adjacent to lot lines) are possible as part of planned developments. A planned development requires approval through a zoning map amendment.

**Planning Director:** See "Zoning Administrator."

**Planning Jurisdiction:** Richmond, Indiana and the contiguous unincorporated area over which the City exercises planning and zoning authority.

**Planning Staff:** The Zoning Administrator and all employees of the Plan Commission of the City under the supervision of the Zoning Administrator and subject to the authority of the Zoning Administrator.

**Plat:** A map or chart that shows a division of land and/or the layout for subdivisions that is intended to be filed for record.

**Plat Committee:** A subcommittee of the Plan Commission which may be assigned review and approval authority for types of subdivisions or phases of the subdivision approval process per Indiana Code.

**Plat, Primary:** The primary plat, pursuant to the *IC 36-7-4-700* Series, is the plat and plans upon which the approval of a proposed subdivision are based. The primary plat and plans shall be subject to public notice and public hearing according to law and according to Plan Commission rules. (Under former state statutes, the primary plat was referred to as a "preliminary" plat.)

**Plat, Secondary:** The secondary plat, pursuant to *IC 36-7-4-700* Series, is the final plat document in recordable form. A secondary plat shall substantially conform with the preceding primary plat. The secondary plat and plans are not subject to public notices and public hearings.

**Pond, Detention:** A pond designed to be used as a means to detain or temporarily hold storm water as part of a storm water drainage system. A detention pond is designed to be dry most of the time and to detain storm water for no longer than 24-72 hours after a storm event.

**Pond, Recreational:** A pond designed to permanently hold water and be used primarily for recreational and/or scenic purposes.

**Pond, Retention:** A pond designed to be used as a means to retain or permanently hold storm water as part of a storm water drainage system. A retention pond generally retains storm water to some normal water level but may also temporarily detain additional amounts of storm water above the normal water level.

**Pool, Swimming:** See "Swimming Pool."

**Porch:** A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

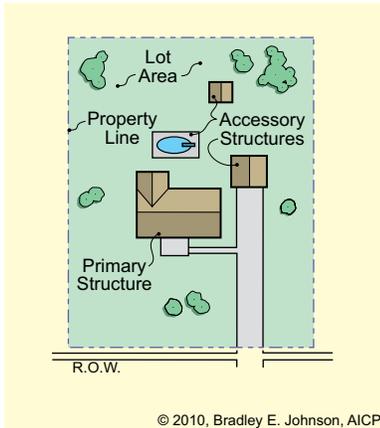
**Potable Water:** Water that is satisfactory for drinking, culinary, and domestic purposes, meeting current state and federal drinking water standards.

**Practical Difficulty:** A difficulty with regard to one's ability to improve land stemming from regulations of this Unified Development Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within this Unified Development Ordinance, but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

**Primary Arterial:** See "Street, Primary Arterial."

**Primary Plat:** See "Plat, Primary."

**Primary Structure:** The structure in which the principal use of the lot or premises is located or conducted, with respect to residential uses, the primary structure shall be the main dwelling.



**Primary Use:** See "Use, Primary."

**Principal Use:** See "Use, Primary."

**Private Street:** See "Street, Private."

**Prohibited Use:** A use that is not permitted under any circumstances.

**Public Improvement:** Any street, street feature (e.g. signs), sidewalk, path, public utility, drainage facility, public park or any other public facility that is for the general public's use, or part of a public system (e.g. utility, drainage system, or street system) for which a municipal unit may ultimately assume the responsibility for maintenance and operation. Public improvements include off-site improvements to public facilities committed to by an applicant, off-site improvements to public facilities required as a condition of approval, and any required on-site improvements to public right-of-way or other public land.

**Public Place:** Any area on public or private property that is easily accessible and clearly visible to the general public. If located on private property, the area shall be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

**Public/Private Parking Area:** A group of parking spaces in an open area not including any part of a street or alley, designed or used for temporary parking of motor vehicles.

**Public Street:** See "Street, Public."

**Public Utility:** See "Utility, Public."

**Public Way:** Highways, streets, avenues, boulevards, roads, lanes, or alleys.

**Putrescible Waste:** Putrescible waste includes household food waste; green waste; animal matter (including dead animals or animal parts); unstable or untreated biosolids; and certain wastes arising from commercial and industrial sources that decompose and breakdown quickly, decay or spoil, or become putrid.

## Definitions - R

**Radio/TV Station:** The broadcast building for the production of radio and television programming, not to include and telecommunication towers.

**Raising of Farm Animals:** Any livestock operation that falls below the thresholds of a Confined Feeding Operation as defined by IDEM.

**Rear Lot Line:** See "Lot Line, Rear."

**Rear Yard:** See "Yard, Rear."

**Recreation Center/Play Center:** An enclosed structure containing recreational facilities, such as a tennis court, swimming pool, or gymnasium. This shall not include outdoor amphitheaters, tennis courts, or swimming pools.

**Recreational Pond:** See "Pond, Recreational."

**Recreational Vehicle:** A vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use and including but not limited to, travel trailers, truck campers, camping trailers, boats, and self-propelled motor homes. A recreational vehicle shall not be used as living quarters.

**Recreational Vehicle Park:** Any commercially zoned site, lot, field, or tract of land under single ownership, or ownership of two or more people, designed with facilities for short term occupancy for recreational vehicles only.

**Recycling Collection Point:** A facility where residential and small business recycling (e.g. newspaper and office paper, plastic and glass bottles, and food and soda cans) is dropped off by the consumer for collection by a waste management operation.

**Recycling Processing:** A facility which intakes waste stream material intended for recycling and then separates those materials for transport as raw materials to other industries, or that sheds, crushes, pelletizes, or disassembles materials prior to transporting as raw materials. Recycling Processing does not include a foundry, glass melting furnaces, incinerator, manufacturing, outdoor metal shredding, retail sales, junk yard, landfill, or scrap metal yard.

**Registered Land Surveyor:** A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

**Registered Professional Engineer:** An engineer properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

**Regulated Substance:** Any liquid or water soluble solid which has the potential to contaminate the aquifer.

**Regulatory Flood:** See "Flood, Regulatory."

**Regulatory Floodway:** See "Floodway, Regulatory."

**Replat:** The process for a legal change in a recorded subdivision plat. Replatting is required for changes that affects street layout, common area, drainage, number of lots, lot line adjustments, a commitment, a condition, an easement or other major changes.

**Residential District:** Refers to the R1, R2, R3, UR, M1, M2, and MP Districts.

**Residential Facility for the Developmentally Disabled (large):** A residential facility which provides residential services for more than eight (8) developmentally disabled individuals as described in *IC 12-28-4*.

**Residential Facility for the Developmentally Disabled (small):** A residential facility which provides residential services for eight (8) developmentally disabled individuals or less as described in *IC 12-28-4*.

**Residential Facility for the Mentally III:** A residential facility which provides residential services for mentally ill individuals as described in *IC 12-28-4*. No two (2) Residential Facilities for the Mentally III shall be within 3,000 feet of one another in the planning jurisdiction as stated in Indiana Code.

**Responsible Party:** For purposes of issuing a notice of violation, the following persons shall be considered responsible parties, with liability for fines and responsibility for remedy of the violation: the property owner(s); persons with any possessory interest in the property, and/or any persons and/or their agents who have caused the violation. Any owner, tenant, builder, developer, possessor of interest, architect, designer, property manager, equipment operator known or suspected to be responsible in part or in whole for a violation of the Unified Development Ordinance.

**Restaurant:** An establishment whose use is the selling of food in a ready-to-consume state, in individual servings, in which the customer consumes these foods while seated at tables or counters located in or immediately adjacent to the building in which the use is located, and which may include carry-out service. "Restaurant" shall include that portion of any establishment which sells prepared food, such as a bakery or a delicatessen, and which is used for seating for the consumption of food on the premises.

# Definitions - R

**Retail (Type 1), Very Low Intensity:** Retail uses that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses* below.

**Retail (Type 2), Low Intensity:** Retail uses that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses*.

**Retail (Type 3), Medium Intensity:** Retail uses that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses* below.

**Retail (Type 4), High Intensity:** Retail uses that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses* below.

**Retail (Type 5), Very High Intensity:** Retail that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses* below.

**Retail (Type 6), Outdoor Sales:** Retail uses that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses* below.

**Retail (Type 7), Special Handling:** Retail uses that do not exceed the limitations and have the features listed in *Table 11-1: Limitations and Features of Retail Uses* below.

Retail Types	Max. Vehicle per Day	Max. Cumulative Building Size	Max. Building Height	Architectural Characteristics	Max. Outdoor Display of Merchandise	Max. Frequency of Dumpster Emptying	Outdoor Storage	Hours of Operation	Drive Through	Firearms and Ammunition Sales	Firework Sales
Type 1: Very Low Intensity	750	5,000 sq ft	30 feet	pitched roof	2%	1 per week	no	between 5 am and 9 pm	no	no	no
Type 2: Low Intensity	1,500	25,000 sq. ft.	35 feet	no	5%	2 per week	no	between 5 am and 10 pm	yes	no	up to 5%
Type 3: Moderate Intensity	5,000	100,000 sq. ft.	40 feet	no	10%	1 per day	no	between 5 am and 11 pm	yes	no	up to 5%
Type 4: High Intensity	15,000	no limit	45 feet	no	10%	no limit	20%	no limit	yes	up to 40%	up to 15%
Type 5: Very High Intensity	no limit	no limit	no limit	no	no limit	no limit	no limit	no limit	yes	no	no
Type 6: Outdoor Sales	5,000	no limit	35 feet	no	100%	1 per day	100%	between 4 am and 10 pm	no	no	no
Type 7: Special Handling	5,000	20,000 sq. ft.	35 feet	no	2%	1 per day	no	between 5 am and 9 pm	no	up to 100%	up to 100%

**Retention Pond:** See "Pond, Retention."

**Retirement Community:** An age-restricted development, which may include detached and attached dwelling units and apartments.

**Retreat Center:** An establishment where people go for spirituality, treatments, rest, and learning; and where people go for events (e.g. weddings, celebrations, and family reunions). Retreat centers may include overnight accommodations as a co-use.

**Right-of-Way:** A strip of land occupied or intended to be occupied by transportation facilities, public utilities, or other special public uses. Rights-of-way intended for any use involving maintenance by a public agency shall be dedicated to the public use by the maker of the plat on which such right-of-way is established.

**ROW:** See "Right-of-Way."

**Road:** See "Street."

## Definitions - S

**Satellite Dish:** An apparatus capable of receiving communications from a transmitter relay located in a planetary orbit, or broadcast signals from transmitting towers.

**School:** A public or private institution which offers instruction in any of the branches of learning and study comparable to that taught in the public schools under the Indiana School Laws, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business, or commercial schools.

**School, Trade, Business, or Commercial:** An educational facility which offers instruction specific to a trade, business, or commercial practice.

**Scrap Metal Yard:** A general industrial use established independent or ancillary to and connected with another general industrial use, which is concerned exclusively in new and salvaged metal pipes, wire, beams, angles, rods, machinery, parts, filings, clippings, and/or all other metal items of every type, and which acquires such items incidental to its connection with the other general industrial use or by purchase, consignment which stores, grades, processes, melts, cuts, dismantles, compresses, cleans, or in any way prepares said items for reuse by the connected other general industrial use or for storage, sale or shipment and/or use in other industries or businesses including open hearth, electric furnaces and foundry operations. Such an establishment shall not include junk yards, dumps, or automobile or other vehicle graveyards.

**Secondary Plat:** See "Plat, Secondary."

**Setback:** The minimum horizontal distance between the building line and a lot line. Or in a case where the property runs to the centerline of the street, the minimum horizontal distance between the building line and the right-of-way as proposed in the *City of Richmond Comprehensive Plan*.

**Setback, Average:** An average of the front yard, side yard, or rear yard setbacks of structures on the two nearest lots on both sides of the subject property (i.e. four structures in total). If the subject property is a corner lot, the average of the front yard, side yard, or rear yard setback of structures on adjacent lots to the subject property, along with the structures on lots directly across the street from the subject property shall be used.

**Sexually Oriented Materials:** Materials including still or motion pictures, books, magazines, other periodicals, or other depiction recorded on paper, electronic, digital, video, magnetic, or other media, which are distinguished or characterized by their emphasis on matter depicting, describing or relating Specified Sexual Activities" or "Specific Anatomical Areas"; or, instruments, devices, or paraphernalia either designed as a representation of human genital organs or female breasts, or designed or marketed primarily for use to stimulate human genital organs.

**Sexually Oriented Retail Business:** An establishment which advertises or holds itself in any forum as "XXX", "adult" or "sex", or which has stock in trade or floor area devoted to the sale, rental, or display of sexually oriented materials.

**Sexually Oriented Retail Business, Accessory:** An establishment with at least ten percent (10%) but less than forty percent (40%) of its stock in trade or gross floor area devoted to the sale, rental, or display of sexually oriented materials.

**Sexually Oriented Entertainment Business:** An establishment which regularly offers live entertainment, lingerie or nude modeling, or presentation of motion pictures or publications by any photographic, electronic, digital, magnetic or other media which are distinguished or characterized by their emphasis on matter depicting, describing or relating "Specified Sexual Activities" or "Specific Anatomical Areas"; or, offers massage therapy or body work except when performed by a massage therapist licensed by the State of Indiana, certified by the National Certification Board for Therapeutic Massage and Bodywork or the American Massage Therapy Association, or under the direct supervision of a licensed physician; or, advertises or holds itself in any forum as "XXX", "adult", or "sex".

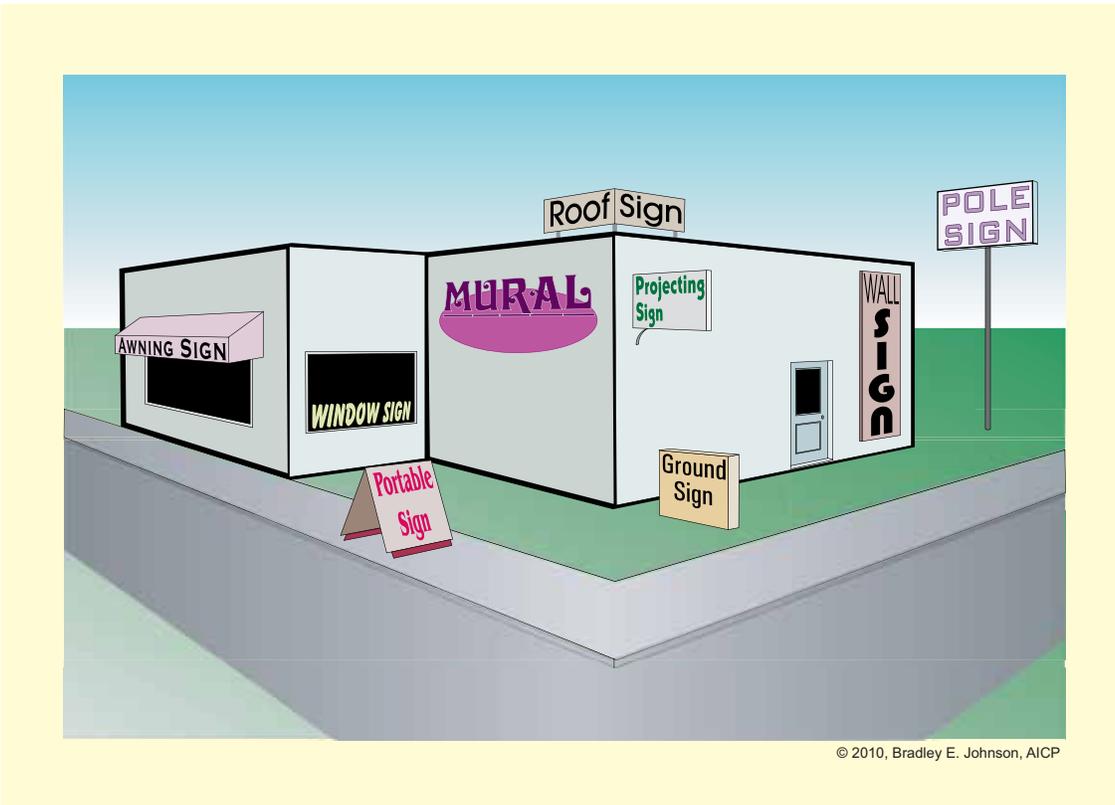
**SFHA:** Special Flood Hazard Area.

**Shrub:** A plant distinguished from a tree by having several or many woody stems projecting from the ground or a single stem with very low branches which keeps the head of the plant close to the ground (e.g. yew). Other characteristics include heights typically pruned to stay under six (6) feet, but never exceeding twelve (12) feet maturity (e.g. lilac, burning bush, hydrangea and spirea varieties). Shrubs also include perennial plants with a woody base, multiple-stems projecting from the ground, and which grow to a maximum height of ten (10) feet (e.g. butterfly bush). Shrubs may be deciduous or evergreens.

**Side Lot Line:** See "Lot Line, Side."

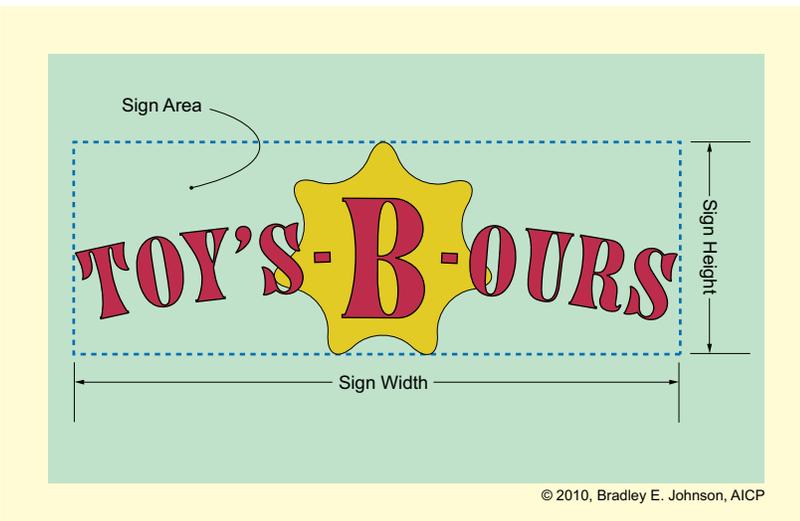
**Side Yard:** See "Yard, Side."

**Sign:** Any device that conveys a commercial message which is affixed to a structure, painted on a structure, mounted on or resting on the ground, or projected onto a surface. A sign also includes devices that serve the purpose of attracting attention to an object, product, place, activity, institution, organization, or business. Devices described in the Unified Development Ordinance as not being a sign are exempt. The graphic below depicts the primary types of signs. Regulations for each type of sign varies by zoning district.



**Sign, Animated:** A type of sign or device which (A) depicts motion pictures or animation with five (5) or more frame changes per second, (B) is projected onto a surface and that moves across that surface, (C) is created by rapid movement of one or more lasers, or (D) emits audible sound, odor, or visible matter.

**Sign Area:** The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction or symbolism of the sign.



## Definitions - S

**Sign, Changeable Copy:** A device that allows a message, graphic, or light intensity to be changed periodically using either:

1. Physical letters, numbers, or shapes temporarily attached to a sign face; or
2. Electronic signals transmitted to an LED, LCD, or similar electronic display.

May also be referred to as a “changeable copy.”

**Sign, Commercial:** A sign containing a commercial message (e.g. a business name, logo, slogan, graphic or branded color scheme).

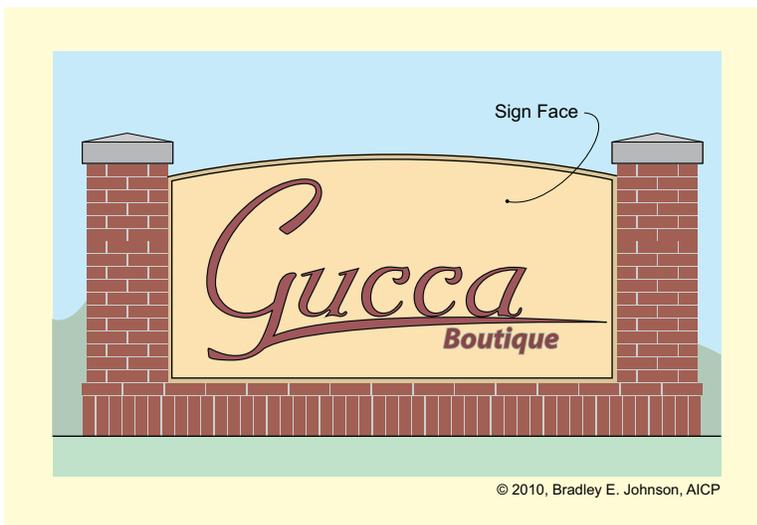
**Sign, Cyclical Message:** A changeable copy sign with a change rate of once every seven (7) seconds or greater, but not greater than once every eight (8) hours (e.g. a cyclical message at a school that announces upcoming events, time and temperature). May also be referred to as a “cyclical message.”

**Sign, Directional:** A sign intending to direct the safe flow of vehicular and pedestrian traffic and includes “enter,” “exit,” and “arrow” signs.

**Sign Envelope:** The pre-assigned and approved area on the facade of a multiple-tenant building for permanent wall signs to be mounted.

**Sign, Electronic Changeable Copy:** A cyclical message sign or changeable copy sign that allows a message to be changed every seven (7) seconds or greater time using electronic signals transmitted to an LED, LCD, or similar electronic display.

**Sign Face:** The surface intended for the display of information on the sign.



**Sign, Flashing Message:** A changeable copy sign with a change rate of less than seven (7) seconds, including the change rate of any single pixel or light element on the sign (e.g. text that pans in and out, text that turns on and off rapidly, text that moves, and video and motion graphics produced on an LED or LCD display). May also be referred to as a “flashing message.”

**Sign, Gas-inflatable:** Any device which is capable of being expanded by any gas and used on a permanent or temporary basis to attract attention to a product or event. This definition includes both hot-air and gas-filled balloons tethered or otherwise anchored to the ground.

**Sign, Ground:** A sign in which the bottom edge of the sign is permanently affixed to the ground. A monument sign is another name for a Ground Sign. (See Graphic for "Sign")

**Sign, Illuminated:** A sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper, or which is illuminated by reflectors.

**Sign, Inflatable:** A device that is inflated in order to draw attention to the business and/or advertise its products.

**Sign, Manual Changeable Copy:** A changeable copy sign that allows a message to be changed periodically using physical letters and numbers, typically made of plastic, that affix to the sign (e.g. snap to the sign face or inserted into a channel).

**Sign, Monument:** See "Ground Sign."

## Definitions - S

**Sign, Mural:** A sign painted onto the side of a building, a wall, ground, or structure. A mural sign is regulated as a wall sign in the Unified Development Ordinance. (See Graphic for "Sign")

**Sign, Nonconforming:** See "Nonconforming Sign."

**Sign, Non-commercial:** Any sign wording, logo or other representation that, directly or indirectly, does not name, advertise, or call attention to a business, product, service, or other commercial activity.

**Sign, Permanent:** A sign that is designed or intended to be used indefinitely, or used indefinitely without change in the same state or place, including, but not limited to, business signs, directional signs, residential complex or subdivision signs, and illuminated signs.

**Sign, Pole:** A sign that is supported by one or more poles, posts, or braces upon the ground, not attached to or supported by any building, with a clear space in excess of six (6) feet from the finished grade to the bottom of the sign face. (See Graphic for "Sign")

**Sign, Portable:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu or sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in normal day-to-day operations of the business. (See Graphic for "Sign")

**Sign, Projecting:** Any sign other than a wall sign affixed to any structure or wall whose leading edge extends beyond such structure or wall. (See Graphic for "Sign")

**Sign, Roof:** A sign which is erected, constructed, and maintained above any portion of the roof. (See Graphic for "Sign")

**Sign, Static Message:** A device that maintains the same message, graphic, or light intensity for at least eight (8) hours. May also be referred to as a "static message."

**Sign Surface:** See "Sign Face."

**Sign, Temporary:** An on-premise advertising device not fixed to a permanent foundation, for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the activities on the premises upon which it is located.

**Sign, Wall:** A sign attached to and/or integral with exterior wall or window surface of a building, the face of which is parallel to the surface and which does not project more than nine (9) inches from the surface. (See Graphic for "Sign")

**Single-family Residential District:** Refers to the R1, R2, R3 and UR District.

**Site Plan:** A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to buildings, and other structures, circulation, grading, trees, and landscaping, sufficient for review. A site plan shall serve as the development plan regulated by *IC 36-7-4-1400*.

**Special Exception:** The authorization of a use that is designated as such by this ordinance as being permitted in the district concerned if it meets special conditions, is found to be appropriate and upon application, is specifically authorized by the Board of Zoning Appeals.

**Specimen Tree:** Trees with a caliper of twenty-four (24) inches or greater.

**Sports Complex:** An indoor or outdoor facility that is designed for sport activities, training, competition, games, and spectating that is open to the public or open to members. This facilities may include support facilities like: concession stands, bleachers, restrooms, and batting cages when in conjunction with sport fields like: football field, baseball diamond, soccer field, volleyball court, swimming pool, velodrome, tennis court, or combinations thereof.

**Sports Field:** An outdoor football field, baseball diamond, soccer field, volleyball court, tennis court, or the like.

**State:** The State of Indiana.

**Storage, Outdoor:** The outdoor accumulation of goods, junk, motor vehicles, equipment, products, or materials for permanent or temporary holding.

# Definitions - S

**Stored Vehicles:** A parked motor vehicle that is either:

1. Not licensed with the Bureau of Motor Vehicles,
2. Inoperable,
3. Missing a major body, drivetrain, mechanical, or interior component,
4. Missing critical safety components making the vehicle illegal to drive, or
5. An unmoved motor vehicle.

**Story:** That portion of a structure included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction.

**Street:** Any vehicular right-of-way that is:

1. An existing state, county, or municipal roadway,
2. Shown upon a plat approved pursuant to law,
3. Approved by other official action, or
4. Shown on a plat duly filed and recorded in the Office of the County Recorder prior to the appointment of a Plan Commission and the grant to such Plan Commission to review plats; includes the land between the street lines, whether improved or unimproved.

**Street, Local:** A street that typically carries a low volume of traffic and low speeds from adjacent land uses to the arterial streets, sometimes via a collector street as depicted by the *City of Richmond Comprehensive Plan*.

**Street, Major Arterial:** A street with access control, restricted parking, and that collects and distributes traffic to and from minor arterials, as depicted by the *City of Richmond Comprehensive Plan*.

**Street, Minor Arterial:** A street with access control, restricted parking, and that collects and distributes traffic to and from local streets, as depicted by the *City of Richmond Comprehensive Plan*.

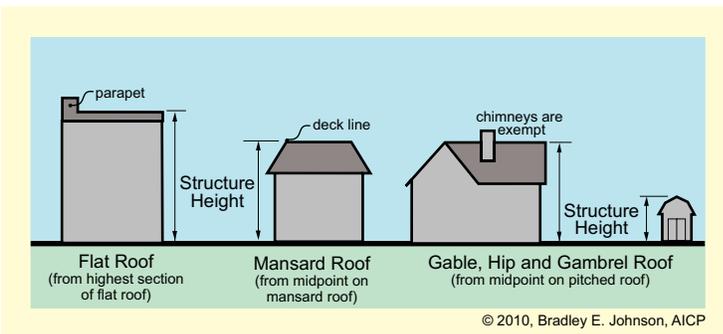
**Street, Private:** Vehicular streets and driveways, paved or unpaved, that are maintained by the owner(s) and that are wholly within private property except where they intersect with other streets within public rights-of-way.

**Street, Public:** All property dedicated or intended for public highway, freeway, or roadway purpose or subject to public easements therefore.

**Structural Alteration:** Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams or girders, or any change in the footprint or increase in the size of living space. Also, substantial roofing and siding work when repairs are made to the structure beneath.

**Structure:** Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, including but not limited to buildings, sheds, detached garages, mobile homes, manufactured homes, above-ground storage tanks, freestanding signs and other similar items.

**Structure Height:** The vertical distance measured from the finished grade to the highest point of the roof.



**Studio Arts:** Karate studio, dance studio, art studio, and the like.

**Subdivision:** Either:

1. The division of a lot into two (2) or more smaller lots so that all resulting lots have development rights; or
2. The combination of two (2) or more lots into a larger lot so that the resulting lot allows development across what was a property line.

## Definitions - S

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**Surface Impoundment**: A topographic depression, excavation, or diked area, primarily formed from earthen materials (lined or unlined) and designed to hold accumulated liquid wastes, wastes containing free liquids, or sludges that were not backfilled or otherwise covered during periods of deposition; depression may be dry if deposited liquid has evaporated, volatilized or leached, or wet with exposed liquid; structures that may be more specifically described as lagoon, pond, aeration pit, settling pond, tailings pond, sludge pit, etc.; also a surface impoundment that has been covered with soil after final deposition of waste materials (i.e. buried or backfilled).

**Swimming Pool**: A self-contained body of water at least eighteen (18) inches deep and eight (8) feet in diameter or width and used for recreational purposes. It may be above or below ground level, and shall be considered an accessory structure.

# Definitions - T

**Technical Review:** The review of a proposed project for compliance with the Unified Development Ordinance, other regulations in the *City of Richmond's Code of Ordinances*, engineering standards, best practices for urban design, best practices for site design, best practices for reducing incompatibility, and the like, when authorized by the Richmond Unified Development Ordinance or otherwise authorized.

**Technical Review Committee:** The zoning administrator and other City staff assigned by the Plan Commission as a standing committee, plus any consultants or advisors assigned on a case-by-case basis to review an application, case or petition.

**Telecommunications Facility:** A land based facility, consisting of towers, antennae, accessory structures or other structures intended for use in connection with the commercial transmission or receipt of radio or television signals, or any other spectrum-based transmissions/receptions.

**Telecommunications Tower:** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. The term includes: radio and television transmission towers, microwave towers, cellular telephone and wireless communication towers, alternative tower structures and the like.

**Temporary Use/Structure:** See "Use, Temporary."

**Theater:** A facility for audio and visual productions and performing arts, excluding adult motion picture theaters and adult entertainment businesses.

**Thoroughfare:** A public way or public place that is included in the Thoroughfare Plan. The term includes the entire right-of-way for public use of the thoroughfare and all surface and subsurface improvements on it such as sidewalks, curbs, shoulders, and utility lines and mains.

**Thoroughfare Plan:** The official plan, now and hereafter adopted, which includes a street plan, sets forth the location, alignment, dimensions, identification, and classification of existing and proposed streets, and other thoroughfares, as found in the *City of Richmond Comprehensive Plan*.

**Through Lot:** See "Lot, Through."

**Tower:** See "Telecommunications Tower."

**Tower Accessory Structure:** Any structure located at the tower's base for housing receiving or transmitting equipment.

**Tower Setback:** The horizontal distance from the base of the tower to an abutting property line and/or proposed right-of-way.

**Transitional Corridor Overlay District:** Refers to the TCO District.

**Two-page Layout:** Two-Page Layout refers to the two-page layout accompanying each zoning district in [Article 2: Zoning Districts](#) of this Unified Development Ordinance. The two-page layout includes zoning district intents, permitted uses, special exception uses, and basic zoning district information.

# Definitions - U

**Underlying District:** A base district zone is the existing zoning district of the subject lot:

1. Prior to the approval of a planned development, or
2. Prior to the effects of an overlay district.

**University:** An establishment for higher education, primarily for students to earn a degree. Ancillary uses include, but are not limited to academic research, academic publishing, student housing, continuing education, and performing arts for the community. Primary structures include a residence hall, staff housing, dining hall, office building, classroom building, stadium, gymnasium, library, broadcasting facility, student center, sport court, arena, nature center, medical center, parking lots, and parking decks when used in conjunction with providing higher education.

**University District:** Refers to the UV District.

**Unmoved Motor Vehicle:** Any motor vehicle that has been parked in the same place for a minimum of eighty (80) days over any 90 day period of time. Parking in the same place shall be inclusive of a motor vehicle that has been moved, reoriented, or re-parked on the same lot or lots used in combination, and in the same general area.

**Use:** The purposes for which land, building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

**Use, Permitted:** A use which may be lawfully established in a particular district or districts provided it conforms with all applicable requirements, regulations and standards.

**Use, Primary:** The main use of land or buildings as distinguished from an accessory use. A primary use may be either a permitted use or a special exception.

**Use, Temporary:** A land use or structure established for a limited and fixed period of no more than four (4) months with the intent to discontinue such use or structure upon the expiration of the time period.

**Use Variance:** See "Variance, Use."

**Utility:** Every plant or equipment within the State used for:

1. The conveyance of telegraph and telephone messages;
2. The production, transmission, delivery, or furnishing of heat, light, water, or power, either directly or indirectly to the public; or
3. Collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste.

The term does not include a municipality that may acquire, own, or operate facilities for the collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste. A warehouse owned or operated by any person, firm, limited liability company, or corporation engaged in the business of operating a warehouse business for the storage of used household goods is not a public utility within the meaning of this Article.

**Utility Facility, Above Ground:** Permanently located and installed electrical generators, pipeline pumping stations, public wells, telephone exchanges, utility substations, and the like.

**Utility, Public:** Any person, firm, or corporation duly authorized to furnish under public regulation to the public, electricity, gas, steam, telephone, fiber optics, transportation, water, or sewage systems. The term does not include a municipality that may acquire, own, or operate any of the foregoing facilities.

Or every corporation, company, partnership, limited liability company, individual, association of individuals, their lessees, trustees, or receivers appointed by a court, that may own, operate, manage, or control any plant or equipment within the State for the:

1. Conveyance of telegraph or telephone messages;
2. Production, transmission, delivery, or furnishing of heat, light, water, or power; or
3. Collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste.

## Definitions - V - W

**Variance, Development Standards:** A specific approval granted by the Board of Zoning Appeals in the manner prescribed by the Unified Development Ordinance, to deviate from the development standards (such as height, bulk, area) that the Unified Development Ordinance otherwise prescribes.

**Variance, Use:** The approval of a use other than that prescribed by the Unified Development Ordinance.

**Variety Store:** A retail establishment that sells a multitude of consumer goods.

**Vehicle:** See "Motor Vehicle."

**Warehouse Storage Facility:** A structure or group of structures containing individual storage units of 200 square feet or less with access to each unit only for the storage and warehousing of personal property. Warehouse storage facilities do not include activities of any kind including wholesaling, retailing, servicing or repair of household or commercial goods in conjunction with storage.

**Wellfield:** A tract of land, either continuous or disjointed, which contains a number of existing or proposed wells for supplying water as specified in the wellfield protection maps.

**Wellhead:** The specific location of a well (a hole or shaft dug or drilled to obtain water) and/or any structure built over or extending from a well.

**Wellhead Protection Local Planning Team (LPT):** Individuals with interest in the protection of local groundwater resources who have participated in the development of the Wellhead Protection Plan. A list of current members of the LPT will be maintained on file with the Department of Metropolitan Development.

**Wind Turbine:** A generator, wind-catching device (e.g. rotors), nacelle, and any other mechanical or electronic equipment located inside the nacelle.

**Wind Turbine, Horizontal Axis:** A wind turbine with the rotation centered around a hub which is relatively parallel to the ground.

**Wind Turbine, Vertical Axis:** A wind turbine with the rotation centered around a hub which is relatively perpendicular to the ground.

**Wind Turbine System Height:** The overall height above grade of the wind to energy tower plus the rotor.

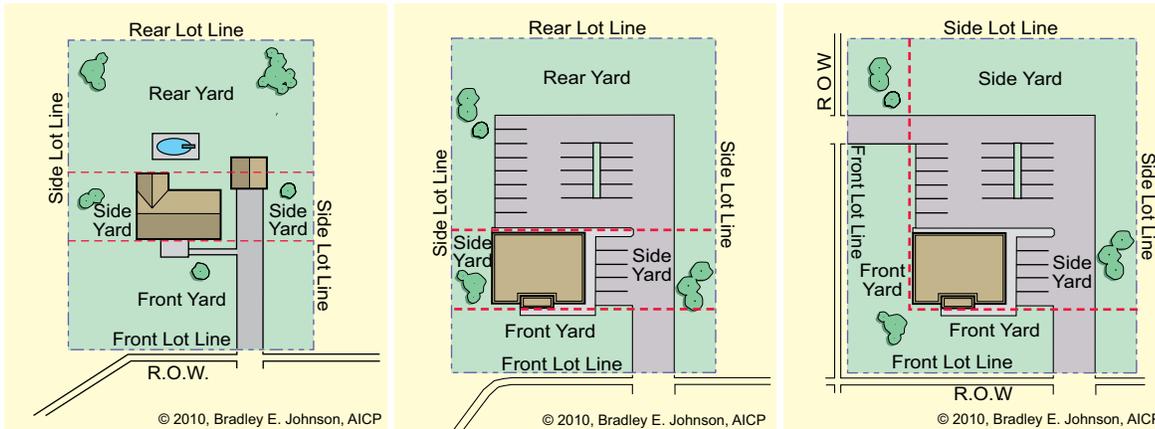
**Wind Turbine System, Large:** A conversion system designed to generate electricity from wind, consisting of a wind turbine, wind turbine tower or other mounting device, foundation, and other structural components. Inversion equipment within or attached to a primary structure, wires conveying electricity to a electrical panel, and other electronic equipment within or attached to a primary structure shall not be considered part of the large wind turbine system. A large wind turbine system shall have rated power of at least fifty kilowatts (50kW) and may have maximum limits as applied by this Unified Development Ordinance.

**Wind Turbine System, Small:** A conversion system designed to generate electricity from wind, consisting of a wind turbine, wind turbine tower or other mounting device, foundation, and other structural components. Inversion equipment within or attached to a primary structure, wires conveying electricity to a electrical panel, and other electronic equipment within or attached to a primary structure shall not be considered part of the small wind turbine system. A small wind turbine system shall have rated power less than fifty kilowatts (50kW).

**Wind Turbine Tower:** A pole-like device used to mount a horizontal axis wind turbine.

**Wind Turbine Tower Height:** The distance measured from grade to the bottom of the nacelle.

**Yard:** A space on the same lot with a primary structure that is open and unobstructed except as otherwise authorized by this Unified Development Ordinance. All required yards shall be kept free of all material including but not limited to, buildings, structures, material for sale, storage, advertising, or display to attract attention and parking lots.



**Yard, Front:** The horizontal space between the nearest foundation of a building or structural appurtenance, or roof eave (whichever is closer) to the Front Lot Line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the Front Lot Line. (See Graphic for "Yard").

**Yard, Rear:** The horizontal space between the nearest foundation or structural appurtenance of a building to a rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the foundation to the rear lot line. Corner lots do not have rear yards, rather they have two side yards. (See Graphic for "Yard").

**Yard, Side:** The horizontal space between the nearest foundation or structural appurtenance of a building to the side lot line. (See Graphic for "Yard").

## Definitions - Z

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**Zoning Administrator:** The officer appointed by and/or delegated the responsibility for the administration of this Unified Development Ordinance's regulations by the Plan Commission. The term "Zoning Administrator" includes his/her authorized representatives.

**Zoning District:** Areas within the City of Richmond for which uniform zoning regulations governing use, height, area, size, intensity of use of buildings and land, and open spaces about buildings, are established by the Unified Development Ordinance. Zoning districts are drawn on the Official Zoning Map.

**Zoning Map:** See "Official Zoning Map."

