

Chapter 12

Definitions

Porter County
Unified Development
Ordinance

Definitions

12.01 General

The definitions contained in *Chapter 12* shall be observed and applied in the interpretation of all chapters 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.

12.02 Defined Words

The following terms shall have the following meanings:

Definitions - A

A Zone: Portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

1. **Zone A:** Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.
2. **Zone AE and A1-A30:** Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)
3. **Zone AO:** Areas subject to inundation by one-percent (1%) annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one (1) and three (3) feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
4. **Zone AH:** Areas subject to inundation by one-percent (1%) annual chance shallow flooding (usually areas of ponding) where average depths are from one (1) to three (3) feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.
5. **Zone AR:** Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.
6. **Zone A99:** Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

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.

Above-ground Utility Facility: See “*Utility Facility, Above-ground.*”

Accelerated Erosion: See “*Erosion, Accelerated.*”

Accessory Building: See “*Structure, Accessory.*”

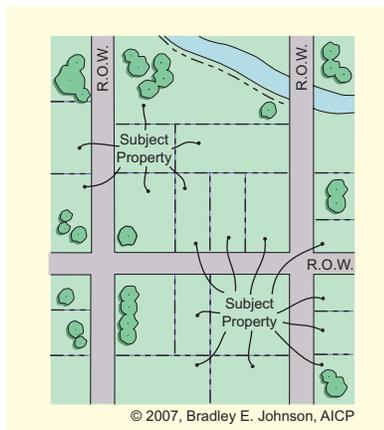
Accessory Structure: See “*Structure, Accessory.*”

ADA: The Americans with Disabilities Act.

Addition to an Existing Structure: Any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by independent perimeter load-bearing walls is new construction.

Definitions - A

Adjacent Property: Any lot abutting the subject lot, directly diagonal to the subject lot, or across a public right-of-way from the subject lot. The illustration below shows the properties that would be considered adjacent to two different subject properties.



Adult Bookstore: An establishment having more than ten percent (10%) of its stock in trade or its dollar volume in books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records, or other forms of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual activities or sexual anatomical areas.

Adult Business: Any commercial activity whether conducted intermittently or full time, which primarily involves the sale, display, exhibition, or viewing of books, magazines, films, photographs, or other materials, distinguished or characterized by an emphasis on matter depicting, describing, or relating to human sex acts, or by an emphasis on male or female genitals, buttocks, or female breasts. The following businesses are Adult Businesses, but the list is not exclusive:

- Adult bookstores
- Adult mini-motion picture theater
- Adult motel
- Adult motion picture arcade
- Adult motion picture theater
- Cabaret
- Massage parlor
- Motel studio

Adult Entertainment: An adult bookstore, adult retail store, adult motion picture theater, or adult strip club or like uses.

Adult Mini-Motion Picture Theater: An enclosed building with a capacity of fifty (50) or fewer persons used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, for observation by patrons of the theater.

Adult Motel: See “*Motel, Adult.*”

Adult Motion Picture Arcade: Any place to which the public is permitted or invited wherein coin- or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing sexual conduct or specified anatomical areas.

Adult Motion Picture Theater: A facility for audio and visual productions and performing arts specifically for adult motion pictures and adult entertainment.

Adult Retail Store: An establishment having more than ten percent (10%) of its stock in trade or its dollar volume in devices, toys, audio or visual recordings, games, attire, or other items intended for adult sexual activities or used for erotic, pornographic, or related sexual activities.

Definitions - A

Adult Strip Club: A facility (indoor or outdoor; and private or public) for audiences or individuals to observe nudity or partial nudity of any person, or any other services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

Agricultural District: The A1 and A2 zoning districts.

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.

Aircraft: Any contrivance now known, or hereafter invented, used and designed for navigation of or flight in the air.

Airport: The Porter County Municipal Airport and any other airport to which overlay protection is applied.

Airport Authority: The Porter County Municipal Airport Authority, having jurisdiction over the Porter County Municipal Airport, and empowered to exercise the executive and legislative powers conferred by IC 8-22-3.

Airport Elevation: The highest point of an airport’s usable landing area measured in feet from mean sea level (MSL), and is so indicated on an approved Airport Layout Plan or any other planning document authorized by the Federal Aviation Administration (FAA), the Indiana Department of Transportation – Aeronautics Section, or the Porter County Municipal Airport Authority.

Airport Hazard: Any structure, object of natural growth, located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.

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

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

ANSI: The American National Standards Institute.

APO: Airport Overlay District.

Appeal, Floodplain Standards: A request for a review of the Floodplain Administrator’s interpretation of any provision of *Chapter 05; §FP: Floodplain Standards* or *Chapter 07; §FL: Floodplain Standards*.

Applicant: A person who owns a lot (or person who is authorized by the owner to act in relation to the lot) who makes application to the Plan Commission, Board of Zoning Appeals, or Plan Commission Office for action under the Unified Development Ordinance affecting the lot. (See also “*Petitioner.*”)

Approach Surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the Approach Zone height limitation slope set forth in *Chapter 03; §APO: Airport Overlay District* of the Unified Development Ordinance. In plan view, the perimeter of the approach surface coincides with the perimeter of the Approach Zone.

Approach Zone: The Approach Zones of the Airport Overlay (APO) District include the:

1. Utility Runway Visual Approach Zone;
2. Utility Runway Non-precision Instrument Approach Zone;
3. Runway Larger than Utility Visual Approach Zone;
4. Runway Larger than Utility with a Visibility Minimum Greater than Three-fourths Mile, Non-precision Instrument Approach Zone;
5. Runway Larger than Utility with a Visibility Minimum as Low as Three-fourths Mile, Non-precision Instrument Approach Zone; and
6. Precision Instrument Runway Approach Zone.

Definitions - A

Approach Zone, Precision Instrument Runway: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. This approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. The centerline of this approach zone is the continuation of the centerline of the runway.

Approach Zone, Runway Larger than Utility Visual: The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. This approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of this approach zone is the continuation of the centerline of the runway.

Approach Zone, Runway Larger than Utility with a Visibility Minimum as Low as Three-fourths Mile, Non-precision Instrument: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. This approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. The centerline of this approach zone is the continuation of the centerline of the runway.

Approach Zone, Runway Larger than Utility with a Visibility Minimum Greater than Three-fourths Mile, Non-precision Instrument: The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. This approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. The centerline of this approach zone is the continuation of the centerline of the runway.

Approach Zone, Utility Runway Non-precision Instrument: The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. This approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of this approach zone is the continuation of the centerline of the runway.

Approach Zone, Utility Runway Visual: The inner edge of this approach zone coincides with the width of the primary surface and is two hundred fifty (250) feet wide. This approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of this approach zone is the continuation of the centerline of the runway.

Area of Shallow Flooding: A designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

ARO: Arterial Roadway Overlay District.

ARP: Airport reference point.

Arterial Street: See "*Street, 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.

ASTM: Formerly the American Society for Testing & Materials, now ASTM International (ASTMI).

ASTMI: ASTM International.

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

Attached Structure: See "*Structure, Attached.*"

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

Definitions - A

Automobile Oriented Facility: A facility where a service is rendered or a sales transaction is carried out while the patron is typically not required to exit his/her vehicle, or a facility that includes services rendered directly on, to, or for vehicles. Auto-oriented business facilities include, but are not limited to, drive-through restaurants, drive-in restaurants, drive-through automated teller machines (ATMs), drive-through banks, drive-in movie theaters, car washes (all types), gas stations, facilities specializing in oil changes, car repair, establishments installing car accessories, other similar auto service facilities, and stand-alone parking lots. The sale of vehicles (new or used) is not included within this definition.

Automobile Repair: The general repair of motor vehicles, including body repair, and painting.

Automobile Service Station: Any building or premises used for the dispensing, sale, or offering for sale to the public, of 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.

Automobile Storage Yard: A lot or part thereof used only for the temporary storage of damaged, abandoned or impounded motor vehicles, excluding salvage and sales. (See also “*Junk Yard.*”)

Definitions - B

B Zone: See “Zone B, C, and X.”

Balcony: An architectural appurtenance providing usable floor area located above the first floor that is either entirely unenclosed or covered only by a roof or railing.

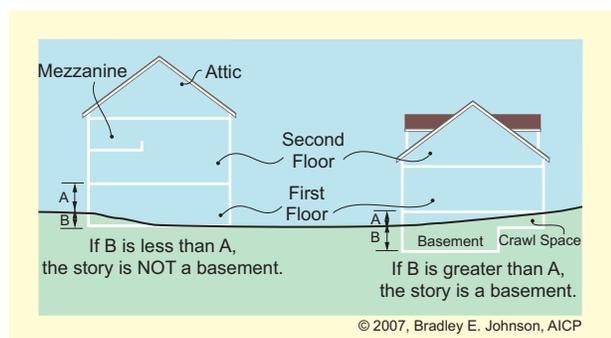
Base Flood: See “Flood, Regulatory.”

Base Flood Elevation (BFE): See “Elevation, Base Flood (BFE).”

Base Zoning District: See “Zoning District, Base.”

Basement: That portion of a building 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 building perimeter. A basement shall not be considered a story for the purposes of determining building height, except when it is used or suitable for habitation.

Basement: That portion of a structure having its floor sub-grade (below ground level) on all sides.



Bed and Breakfast Facility: An owner occupied or owner employee 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, boarding house or motel.

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.

BFE: See “Elevation, Base Flood (BFE).”

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 of Zoning Appeals (BZA): The Porter County Advisory Board of Zoning Appeals and its designees.

Boarding House: A building or part of a building that contains accommodation facilities for lodging, and typically with meals provided they are reserved solely for the occupants of the boarding house for a fee. Boarding houses do not include bed and breakfasts, multiple-family dwellings, hotels or motels.

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.

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 improving privacy or appearance.

Buffer Yard: See “Yard, Buffer.”

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, Accessory: See “Structure, Accessory.”

Definitions - B

Building Area: The horizontal area covered by a building 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. Also referred to herein as the Porter County Building Code.

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

Building Envelope: The setback lines that establish the area within a lot in which building can occur.

Building Height: See “*Structure Height*.”

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

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

Building Separation: The least distance between the foundations of two (2) structures, regardless of whether they are located on the same lot or parcel.

Business: Activities including the purchase, sale, barter, or exchange of goods, wares, merchandise, or services, or the maintenance or operation of offices, recreational, or amusement enterprises.

Business/Financial Services Office: Accounting office, bank or credit union, and investment firm, and the like.

BZA: See “*Board of Zoning Appeals (BZA)*.”

Definitions - C

C Zone: See “Zone B, C, and X.”

Cabaret: A nightclub, theater, or other establishment which is licensed to serve food and/or alcoholic beverages which feature live performances by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on sexual conduct or specified anatomical areas.

Campground: Any lot designed with facilities to allow short term occupancy by recreational vehicles and other camping equipment but not including mobile homes.

Canopy Tree: See “Tree, Canopy.”

Car Wash: A building, or portion thereof, containing facilities for washing one 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.

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

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

Central Sewer System: A community sewer system including collection and treatment facilities owned and maintained by the County.

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. The term includes such of the above facilities established by the developer to serve a new subdivision or commercial/industrial development.

Certificate of Zoning Compliance: A certificate stating the occupancy and use of a structure complies with the provisions of the Unified Development Ordinance.

Channel: A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

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

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. More specifically, it is 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:

1. While unattended by a parent, legal guardian or custodian;
2. For regular compensation; and
3. 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 Institution:

1. A residential facility that provides child care on a 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 & Children. A child care institution does not include a juvenile detention facility.

Children's Home: See “Child Care Institution.”

Church: See “Place of Worship.”

Definitions - C

Clearing: Any activity that removes the vegetative surface cover; this does not include mowing or other cutting of vegetation, brush, trees, where the surface cover is not removed.

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.

Club House: A building used in association with an amenity, in which may be locker rooms, administration offices, golf cart storage and maintenance, restrooms, lounges, meeting space, snack bar, banquet facilities and retail sales of products related to the use of the amenity.

CMU: Concrete masonry unit.

Collocation: A single site where commercial wireless telecommunication service equipment from more than one provider is located.

Commercial Districts: The CN, CM, and CH zoning districts.

Commercial Wireless Communications Service: A licensed commercial wireless telecommunications services, including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and similar devices that are marketed to the general public.

Commission: See “*Plan Commission*.”

Common Area: Any parcel within a development that is neither individually owned nor dedicated for public use, but held in common through an owners association or similar organization.

Communications Tower: See “*Tower, Telecommunication*.”

Community: A political entity that has the authority to adopt and enforce floodplain management regulations for the area under its jurisdiction.

Community Center: A building, together with accessory structures, used for recreational, social, educational, or cultural activities and gatherings by and for the benefit of community groups and individuals, which is accessible to the general public, and which is not operated for profit.

Community, Participating: Any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

Community Public Water Supply System (CPWSS): A public water supply system, any portion of which is located in Porter County, Indiana, that serves at least fifteen (15) service connections used by year-round residents or regularly serves twenty-five (25) year-round residents.

Community Rating System (CRS): A program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management regulations to develop extra measures to provide protection from flooding.

Comprehensive Plan: The Porter County Comprehensive Plan. The Comprehensive Plan includes goals, objectives and strategies relating to land use, growth management, transportation/thoroughfares, community facilities and services, environmental concerns, infrastructure, aesthetics and identity, economic development, and parks and recreation. The Comprehensive Plan was developed by the Plan Commission and adopted by the Plan Commission and Board of County Commissioners pursuant to the IC 36-7-4-500 Series. It includes any part and/or policies separately adopted and any amendments.

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.

Definitions - C

Confined Feeding:

1. The confined feeding of animals for food, fur, or pleasure purposes in lots, pens, ponds, sheds, or buildings where:
 - a. Animals are confined, fed, and maintained for at least forty-five (45) days during any twelve-month period; and
 - b. Ground cover or vegetation is not sustained over at least fifty percent (50%) of the animal confinement area.
2. The term does not include the following:
 - a. A livestock market:
 - i. Where animals are assembled from at least two (2) sources to be publicly auctioned or privately sold on a commission basis; and
 - ii. That is under State or federal supervision.
 - b. A livestock sale barn or auction market where animals are kept for not more than ten (10) days.

Conical Surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty to one (20:1) for a horizontal distance of 4,000 feet.

Conical Zone: The Conical Zone is established as the area that commences at the periphery of the Horizontal Zone and extends outward therefrom a horizontal distance of 4,000 feet. The Conical Zone does not include the Precision Instrument Runway Approach Zone and the Transitional Zones.

Conservation Easement: A nonpossessory interest of a holder in real property that imposes limitations or affirmative obligations with the purpose of:

1. Retaining or protecting natural, scenic, or open space values of real property;
2. Assuring availability of the real property for agricultural, forest, recreational, or open space use;
3. Protecting natural resources;
4. Maintaining or enhancing air or water quality; or
5. Preserving the historical, architectural, archeological, or cultural aspects of real property.

Conservation Easement Holder: Means:

1. A governmental body that is empowered to hold an interest in real property under the laws of Indiana or the United States; or
2. A charitable corporation, charitable association, or charitable trust, the purposes or powers of which include:
 - a. Retaining or protecting the natural, scenic, or open space values of real property;
 - b. Assuring the availability of real property for agricultural, forest, recreational, or open space use;
 - c. Protecting natural resources;
 - d. Maintaining or enhancing air or water quality; or
 - e. Preserving the historical, architectural, archeological, or cultural aspects of real property.

Construction/Demolition Disposal Site: The disposal of non-biodegradable waste resulting from road-building, construction, remodeling, repair, or demolition of structures.

Construction, Existing (as related to *Chapter 05; §FP: Floodplain Standards*): Any structure for which the “start of construction” commenced before June 21, 1982.

Construction, New (as related to *Chapter 05; §FP: Floodplain Standards*): Any structure for which the “start of construction” commenced after June 21, 1982.

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

Construction, Post-FIRM: Construction or substantial improvement that started on or after April 1, 1982.

Construction, Pre-FIRM: Construction or substantial improvement, which started before April 1, 1982.

Definitions - C

Construction, Start of: Land-disturbing activities associated with a development or building. Activities such as on-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facility, or addition thereto, including all related activities, but not restricted to, clearing of land, earth moving, excavation, and landscaping.

Continuous Mound: See “*Mound, Continuous.*”

Corner Lot: See “*Lot, Corner.*”

County: Porter County, Indiana. The term includes County offices and County officials.

County Engineer: The Porter County highway engineer or a person appointed by the Board of County Commissioners for the limited purpose of fulfilling the responsibilities of the engineer under this title.

County Official: An elected or appointed official of Porter County including, but not limited to, a County Commissioner, a Plan Commission member, a Board of Zoning Appeals member, and the Executive Director.

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.

CPSC: The United States Consumer Product Safety Commission.

CPWSS: See “*Community Public Water Supply System (CPWSS).*”

Crematory: See “*Mortuary or Crematory.*”

Critical Facility: See “*Facility, Critical.*”

CRS: See “*Community Rating System (CRS).*”

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

Damage, Substantial: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

Day Care Center: See “*Child Care Center.*”

dB: Decibel.

DBH: See “*Diameter at Breast Height (DBH).*”

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 and transferring land or an interest in land by the owner for use by the municipality or the public. Acceptance of the dedication may be by ordinance, resolution, or entry in the official minutes as by the recording of a plat.

Default Zoning District: See “*Zoning District, Default.*”

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

Design/Planning Office: See “*Office, Design/Planning.*”

Designed Fail Area: The area surrounding a tower in which the tower could fall should it fail as structurally designed. The designed fail area is quantified in terms of linear distance from the tower to the perimeter of the designed fail area. The designed fail area shall be certified by a structural engineer.

Detached Building: See “*Building, Detached.*”

Detention Facility: See “*Facility, Detention.*”

Developer: The person who is responsible for organizing the development of land that is proposed to be subdivided or residentially/commercially/industrially utilized.

Development Advisory Committee (DAC): The Porter County Development Advisory Committee, formally known as the Technical Advisory Committee (TAC).

Development: Any man-made change to improved or unimproved real estate including but not limited to:

1. Construction, reconstruction, or placement of a structure or any addition to a structure;
2. Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a recreational vehicle on a site for more than one hundred eighty (180) days;
3. Installing utilities, erection of walls and fences, construction of roads, or similar projects;
4. Construction of flood control structures such as levees, dikes, dams, channel improvements, *etc.*;
5. Mining, dredging, filling, grading, excavation, or drilling operations;
6. Construction and/or reconstruction of bridges or culverts;
7. Storage of materials; or
8. Any other activity that might change the direction, height, or velocity of flood or surface waters.

The term does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

Development Plan: A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to structures, circulation, grading, trees, and landscaping, sufficient for the review required in **Chapter 10; §Development Plan** of the Unified Development Ordinance. A Development Plan is regulated by IC 36-7-4-1400 *et seq.*

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

Diameter at Breast Height (DBH): The tree trunk diameter measured in inches at a height of four and one-half (4.5) feet above the ground. If a tree splits into multiple trunks below four and one-half (4.5) feet, the trunk is measured at its most narrow point beneath the split.

Director: See “*Executive Director.*”

Definitions - D

District: See “*Zoning District.*”

DNL: Day-night Level. A twenty-four-hour average noise level. The 24-hour average sound level, for a period from midnight to midnight, obtained after multiplying by a factor of ten the average A-weighted sound pressures occurring in the nighttime hours 0000 to 0700 hours and 2200 to 2400 hours.

DNR: The Indiana Department of Natural Resources.

Domestic Pets: 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.

Drainage Easement: See “*Easement, Drainage.*”

Drainage Way: A man-made conduit, open ditch, or drainage swale used to carry surface water runoff to a water-body, watercourse, or public storm sewer system.

DRC: The Development Review Committee.

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.

Dry Floodproofing: See “*Floodproofing.*”

Dune: A mound or ridge of loose sediments, usually sand-sized, lying landward of the beach, and deposited by natural or artificial means.

Duplex: See “*Dwelling, Two-family.*”

Dwelling: A structure or portion of a structure, conforming to all requirements applicable to the zoning district in which it is located, all Building Codes, and that is used exclusively for residential occupancy, including single-family dwelling units, two-family dwelling units, and multifamily 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 nine hundred fifty (950) square feet of occupiable space per IC 36-7-4-1106(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 of the Building Code;
3. Has wheels, axles, and towing chassis removed;
4. Has a pitched roof with a minimum rise of 2:12; 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 & Safety Standards.

Dwelling, Multifamily: See “*Dwelling, Multiple-family.*”

Definitions - D

Dwelling, Multiple-family: A residential building designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling, Single-family Attached: A residential structure incorporating three (3) or more dwelling units, each of which occupies a separate platted lot, and in which the number of families in residence does not exceed the number of dwelling units provided.

Dwelling, Single-family Detached: A detached residential dwelling unit designed for and 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: That portion of a dwelling unit's 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 thereof. Portions of the dwelling that are used solely for storage purposes and not equipped for the facilities mentioned above shall not be considered when calculating the dwelling size. Dwelling size shall exclude exterior open balconies and open porches. The dwelling size of a primary structure does not include a garage, carport, deck, unfinished storage, patio, or open porch. The floor area of a basement that does not meet Fire Code shall not be counted toward the dwelling size.

Dwelling, Two-family: A residential building containing no more than two (2) dwelling units and designed for occupancy by not more than two (2) families.

Dwelling Unit: Any structure or portion thereof designed for or used for residential purposes as a self-sufficient or individual unit by one (1) family or other social association of persons and having permanently installed sleeping, cooking, and sanitary facilities.

Definitions - E

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

Easement, Conservation: See “*Conservation Easement*.”

Easement, Drainage: A legal right granted by a landowner to a grantee allowing the use of private land for storm water management purposes, and which is recorded against the property.

Easement Holder: See “*Grantee*.”

Easement Holder, Conservation: See “*Conservation Easement Holder*.”

ECP: See “*Erosion Control Permit (ECP)*.”

Elevated Structure: See “*Structure, Elevated*.”

Elevation, Base Flood (BFE): The elevation of the one-percent annual chance flood.

Elevation Certificate: A certified statement that verifies a structure’s elevation information.

Elevation, Water Surface: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Emergency Program: See “*Program, Emergency*.”

Encroachment (as related to *Chapter 05; §FP: Floodplain Standards*): The advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Engineer: See “*Registered Professional Engineer*.”

Environmental Features: For the purpose of identifying open space priority areas, environmental features shall be inclusive of dune, floodplain, forest area, natural lake, stream corridor, prairie, watercourse, and wetland.

Erosion: The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.

Erosion, Accelerated: Erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away by the action of water or wind.

Erosion and Sediment Control Plan: A written description of pertinent information, drawings, reports and other appropriate data concerning erosion control measures designed to meet the requirements of the Unified Development Ordinance for a specific site and activity and submitted to the Plan Commission for their approval.

Erosion Control Inspector: An employee or designee of the Plan Commission who has received training to inspect and maintain erosion and sediment control measures.

Erosion Control Measures:

1. *Temporary*: Measures that prevent or minimize erosion, and enhance sediment control and stabilization during clearing, grading, and construction activities.
2. *Permanent*: Measures that will be in place at the conclusion of the project to ensure the resistance of the soil to erosion, sliding, or other movement.

Erosion Control, Perimeter: A barrier that prevents sediment from leaving a site either by filtering sediment-laden runoff, or diverting it to a sediment trap or basin.

Erosion Control Permit (ECP): A document issued by the Plan Commission Office allowing a person to begin land-disturbing activities regulated by the Unified Development Ordinance.

Erosion Control Plan: Specific measures, techniques, practices, and sequencing of activities, used to control or prevent erosion and sediment runoff on a site during and after construction. The Erosion Control Plan shall include a written description of pertinent information, drawings, reports, and other appropriate data concerning erosion control measures designed to meet the requirements of the Unified Development Ordinance for a specific site and activity and submitted to the Plan Commission Office for approval.

Definitions - E

Executive Director: The person appointed by and/or delegated the responsibility for the administration of the Unified Development Ordinance's regulations by the Plan Commission. Administrator of the Plan Commission Office for Porter County, Indiana. The term includes the Executive Director's authorized representatives and designees.

Existing Construction: See "*Construction, Existing.*"

Existing Manufactured Home Park or Subdivision: See "*Manufactured Home Park or Subdivision, Existing.*"

Expansion to an Existing Manufactured Home Park or Subdivision: See "*Manufactured Home Park or Subdivision, Expansion to an Existing.*"

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.

Definitions - F

FAA: The Federal Aviation Administration; a division of the United States Department of Transportation.

Facility, Critical: A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations that produce, use, or store hazardous materials or hazardous waste.

Facility, Detention: The detention basin or alternative structure designed for the temporary storage of stream flow or storm runoff and gradual release of the stored water at a controlled rate. Detention facilities are a type of storm water management facility.

Facility, Functionally Dependent: A facility that cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Facility, Retention: A retention basin or alternative structure designed for the temporary storage of stream flow or storm runoff above a normal water level determined by an outflow structure, which gradually releases the stored water at a controlled rate. Retention facilities are a type of storm water management facility.

Facility, Storm Water Management: See “*Storm Water Management Facility*.”

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

FBFM: See “*Flood Boundary and Floodway Map (FBFM)*.”

FCC: The Federal Communications Commission; an independent United States government agency.

FEMA: The Federal Emergency Management Agency; a division of the United States Department of Homeland Security.

Fence: A barrier enclosing or bordering a field, yard, *etc.*, used to prevent entrance, confine a person, animal, or thing, or mark a boundary.

FHBM: See “*Flood Hazard Boundary Map (FHBM)*.”

FIA: The Federal Insurance Administration; a division of the Federal Emergency Management Agency (FEMA). The FIA administers the National Flood Insurance Program (NFIP).

Finished Floor Area: See “*Floor Area, Finished*.”

FIRM: See “*Flood Insurance Rate Map (FIRM)*.”

FIS: See “*Flood Insurance Study (FIS)*.”

Five Hundred-year Flood: See “*Flood, Five Hundred-year*.”

Flex Space: A multipurpose, nonresidential building designed to accommodate businesses of varying sizes by providing tenants flexibility in the use of the space. Characteristics of flex space buildings include modular bays with high ceilings, load-bearing floors, loading dock facilities, and little or no common areas. Flex space buildings usually provide a configuration allowing a flexible amount of office or showroom space in combination with manufacturing, laboratory, warehouse distribution, or light assembly uses.

Flood: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

Flood Boundary and Floodway Map (FBFM): An official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

Flood, Five Hundred-year: The flood that has a two-tenths of one percent (0.2%) chance of being equaled or exceeded in any year.

Flood Hazard Boundary Map (FHBM): An official map of a community, issued by FEMA, where the boundaries of the areas of special flood hazard have been identified as Zone A.

Flood Insurance Rate Map (FIRM): An official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS): The official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

Flood, One Hundred-year: The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See also “*Flood, Regulatory.*”

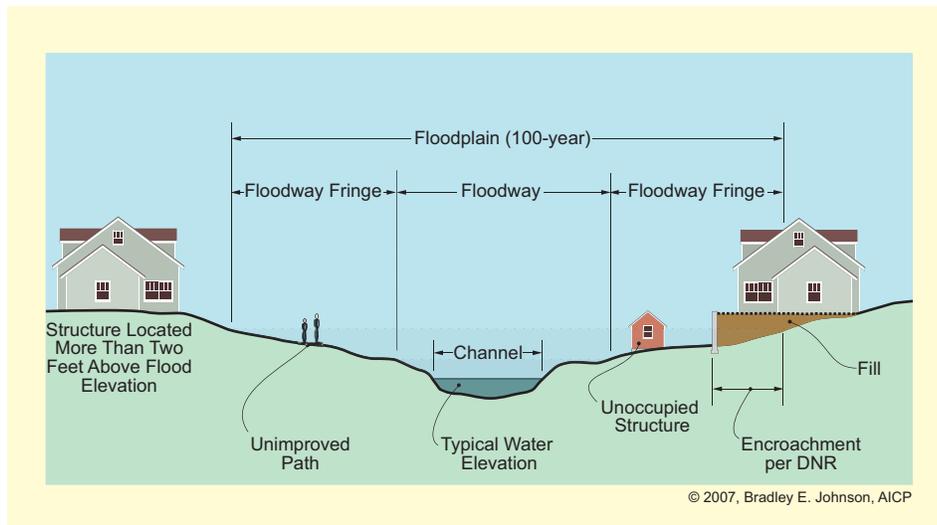
Flood, One-percent Annual Chance: The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter “A” is subject to the one-percent annual chance flood. See also “*Flood, Regulatory.*”

Flood Protection Grade: See “*Grade, Flood Protection.*”

Flood, Regulatory: The flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in *Chapter 05; §FP-01(B)(2): Basis for Establishing Regulatory Flood Data* of the Unified Development Ordinance. The “Regulatory Flood” is also known by the term “Base Flood,” “One-Percent Annual Chance Flood”, and “100-year Flood.”

Flooding, Area of Shallow: See “*Area of Shallow Flooding.*”

Floodplain: The channel proper and the areas adjoining any wetland, lake or watercourse that have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.



Floodplain Management: The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

Floodplain Management Regulations: *Chapter 05; §FP: Floodplain Standards, Chapter 07; §FL: Floodplain Standards*, and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power that control development in flood-prone areas. This term describes federal, State, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

Definitions - F

Floodplain Standards Appeal: See “*Appeal, Floodplain Standards.*”

Floodplain Standards Variance: See “*Variance, Floodplain Standards.*”

Floodplain Standards Violation: See “*Violation, Floodplain Standards.*”

Floodproofing: A method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

Floodproofing Certificate: A form used to certify compliance for nonresidential structures as an alternative to elevating structures to or above the FPG. The certification must be by a Registered Professional Engineer or Architect.

Floodproofing, Dry: See “*Floodproofing.*”

Floodway: The channel of a river or stream and those portions of the floodplains adjoining the channel that are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Floodway Fringe: See “*Fringe.*”

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 of a party wall separating such buildings or portions thereof. Floor area of a building shall exclude exterior open balconies and open porches.

Floor Area, Finished: 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 thereof. Floor area or portion thereof used only for storage purposes and not equipped for the facilities mentioned above shall not be considered finished floor area.

Floor Area, Main: That portion of finished floor area located on the first (or nearest ground level) floor of the dwelling unit. The main floor area of a primary structure does not include a garage, carport, deck, unfinished storage, patio, or open porch.

Floor, Lowest: The lowest of the following:

1. The top of the lowest level of the structure;
2. The top of the basement floor;
3. The top of the garage floor, if the garage is the lowest level of the structure;
4. The top of the first floor of a structure elevated on pilings or pillars;
5. The top of the first floor of a structure constructed with a crawl space, provided that the lowest point of the interior grade is at or above the BFE and construction meets requirements of §6a; or
6. The top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:
 - a. The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, by providing a minimum of two (2) openings (in addition to doorways and windows) having a total net area of one (1) square inch for every square foot of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above grade; and
 - b. Such enclosed space shall be usable solely for the parking of vehicles and building access.

Forest Area: A biological community dominated by trees and other woody plants covering a land area of one (1) acre or more. This also includes forests that have been cut but not cleared. Forests includes area that have at least one hundred (100) trees per acre with at least fifty percent (50%) of those trees having a two-inch (2”) or greater diameter at four and one-half (4.5) feet above the ground, and forest areas that have been cut but not cleared.

Foundation: The supporting member of a wall or structure.

Definitions - F

Foundation, Permanent: 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.

FPG: See “*Grade, Flood Protection (FPG).*”

Freeboard: A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

Freeway: See “*Expressway.*”

Fringe: Those portions of the floodplain lying outside the floodway.

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

Front Setback: See “*Setback.*”

Front Yard: See “*Yard, Front.*”

Frontage: See “*Lot Frontage.*”

Frontage Road: See “*Road, Frontage.*”

Functionally Dependent Facility: See “*Facility, Functionally Dependent.*”

Definitions - G

Garage: An attached or detached structure whose principal use is to house motor vehicles or personal property for the accommodation of related dwelling units or related business establishments.

General and Detailed Specifications: Porter County Ordinance No. 90-3, the *General and Detailed Specifications for Roads and Streets, Sidewalks, Curbs, Drainage Structures and Other Miscellaneous Items*, as amended.

General Services Office: See “*Office, General Services.*”

Geographical Reference Point: The airport reference point (ARP) established as a point having equal relationship to all existing and proposed landing and takeoff points.

Gift Shop: A retail store offering a variety of small gift items, as opposed to stores offering primarily specific lines of merchandise such as toys, clothing, or sporting goods.

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

Government, Unit of Local: A:

1. County;
 2. City;
 3. Town; or
 4. Township;
- in Indiana.

Grade, Flood Protection: The elevation of the regulatory flood plus two (2) feet at any given location in the SFHA. (See also “*Freeboard.*”)

Grade, Highest Adjacent: The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

Grade, Lowest Adjacent: The lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

Grading: Removal of surface vegetation, cutting and filling of the land surface to a desired slope or elevation, but not including normal cultivation associated with an agricultural operation.

Grantee: A person to whom a non-possessive interest (*i.e.* an easement) in real property is granted.

Grantor: A person who grants a non-possessive interest (*i.e.* an easement) in real property.

Greenway District: Refers to the GW zoning district.

Ground Floor Area: See “*Floor Area, Main.*”

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 must be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

Guyed Tower: See “*Tower, Guyed.*”

Definitions - H

Hardship: A difficulty with regard to one's ability to improve land stemming from the application of the development standards of the 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 regulations of the Unified Development Ordinance; any result of land division requiring variance from the development standards of the Unified Development Ordinance in order to render that site buildable.

Hardship (as related to *Chapter 10; §Floodplain Standards Variance*): The exceptional hardship that would result from a failure to grant the requested Floodplain Standards Variance. The Board of County Commissioners requires that the Floodplain Standards Variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a Floodplain Standards Variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

Hazard to Air Navigation: An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height:

1. For the purpose of determining the height limits in all zones set forth in *Chapter 03; §APO: Airport Overlay District* and shown on the Zoning Map, the datum shall be mean sea level (MSL) elevation unless otherwise specified.
2. See also "*Structure Height*."

Heliport: Any airport designed and designated for the exclusive use of rotary wing and vertical takeoff and landing (VTOL) aircraft.

Heliport Primary Surface: See "*Primary Surface, Heliport*."

High Impact Uses District: Refers to the HI zoning district.

Highest Adjacent Grade: See "*Grade, Highest Adjacent*."

Historic Structure: See "*Structure, Historic*."

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 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 principal 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 Occupation: Reasonable business practices that may be carried on in a residence that have minimal impact within residential zoning districts. These business practices do not allow the loss of the residential zoning district's character or function as a residential area or neighborhood. To regulate reasonable business practices for home occupations, development standards have been established and can be found in *Chapter 05; §HO: Home Occupation Standards*.

Horizontal Property Regime (HPR): See "*Condominium*."

Horizontal Surface: A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which, in plan view, coincides with the perimeter of the Horizontal Zone.

Horizontal Zone: The Horizontal Zone is hereby established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by drawing lines tangent to those arcs. The Horizontal Zone does not include the Approach Zones and Transitional Zones.

Definitions - H

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 lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public. Compensation is usually assessed on a day-to-day basis.

HPR: Horizontal Property Regime. See “*Condominium*.”

Definitions - I

IAC: Indiana Administrative Code.

IC: Indiana Code.

ICC: See “*Increased Cost of Compliance (ICC)*.”

IDEM: Indiana Department of Environmental Management.

ILP: See “*Improvement Location Permit (ILP)*.”

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 building, any accessory structures and impervious surface.

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 (ILP): 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.

Improvement, Substantial: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage” regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of State or local health, sanitary, or safety code requirements or any alteration of a “historic structure,” provided that the alteration shall not preclude the structures continued designation as a “historic structure.”

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

Incinerator: A site under one (1) ownership with one (1) or more incinerators that use thermal combustion processes to destroy or alter the character or composition of medical waste, sludge, soil, or municipal solid waste (not including animal or human remains).

Increased Cost of Compliance (ICC): The cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local floodplain management regulations. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

INDOT: Indiana Department of Transportation.

Industrial Districts: Refers to the I1, I2 and I3 zoning districts.

Industry, Light: See “*Manufacturing, Light*.”

Industry, Heavy: See “*Manufacturing, Heavy*.”

Institutional District: Refers to the IN zoning district.

Initial User: The applicant, person, organization or corporation that originally applies to the County for approval for the installation of an antenna or other radio or cellular communication equipment or for approval for the construction of a telecommunication tower or facility.

Institution: An academic, benevolent, community service, correctional, educational, governmental, medical, penal, psychiatric, or other such facility owned and operated by a governmental entity, not-for-profit organization, or other such organization accredited or certified in accordance with State or federal standards.

Definitions - I

Interior Lot: See “*Lot, Interior.*”

Interstate: See “*Expressway.*”

IPLA: The Indiana Professional Licensing Agency. An agency of the State government that provides administrative support services to Indiana’s professional licensing boards and commissions in order to facilitate the delivery of consumer services by regulated professionals to the citizens of Indiana, and provides a licensing process for regulated professionals that ensures the health, safety and welfare of the citizens of Indiana.

ISBA: The Indiana State Bar Association.

IUPPS: The Indiana Underground Plant Protection Service.

Definitions - J - K

Junk: An automobile, truck, other motor vehicle, watercraft, large appliance, 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, County, or local 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 minors (those 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, Commercial: A place primarily for keeping more than four (4) adult dogs, or other small animals that are ordinarily bred for sale as pets, including temporary care facilities for animals for compensation.

Kennel, Private: A place for keeping up to four (4) adult dogs, or other small animals for personal use and enjoyment which is subordinate to the principal use. Private kennels are not regulated in the Unified Development Ordinance and are permitted in all zoning districts.

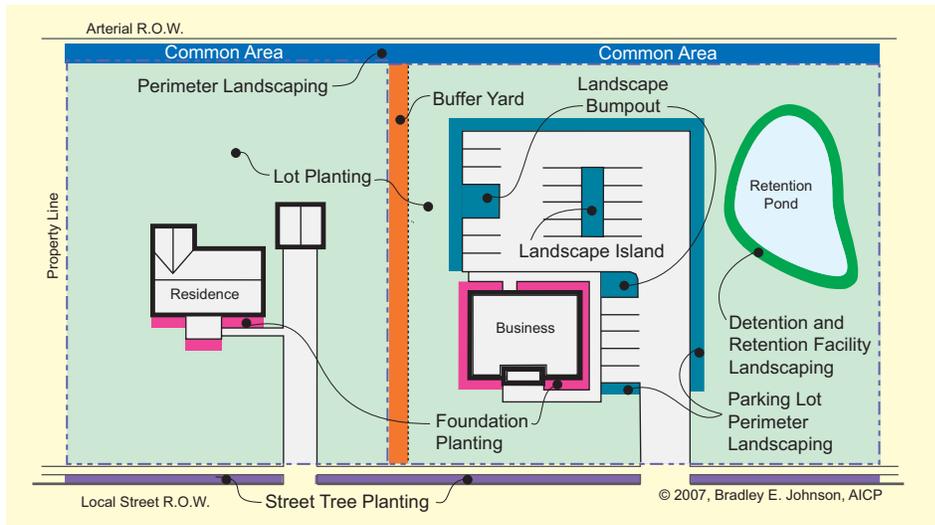
Definitions - L

Lake, Large Man-made: A permanent body of open water three (3) acres or more in size.

Lake, Small Man-made: A permanent body of open water less than three (3) acres in size.

Land-disturbing Activity: Any activity that changes the land surface. This may include grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, or substantial removal of vegetation, any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

Landscape Area: Any place on a lot or abutting right-of-way that is identified for application of landscaping regulations. Landscape areas include: street tree planting areas, parking lot planting areas, foundation planting areas, buffer yard areas, perimeter planting areas, *etc.* The image below conceptually demonstrates the general location of each landscape area.



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.

Lattice Tower: See “*Tower, Lattice.*”

Legal Nonconforming Building or Structure: See “*Building, Legal Nonconforming.*”

Legal Nonconforming Lot of Record: See “*Lot of Record, Legal Nonconforming.*”

Legal Nonconforming Sign: See “*Sign, Legal Nonconforming.*”

Legal Nonconforming Use: See “*Use, Legal Nonconforming.*”

Letter of Map Amendment (LOMA): An amendment to the currently effective FEMA map that establishes that a property is not located in a SFHA. A LOMA is only issued by FEMA.

Letter of Map Revision (LOMR): An official revision to the currently effective FEMA map. A LOMR is issued by FEMA and changes flood zones, delineations, and elevations.

Letter of Map Revision Based on Fill (LOMR-F): An official revision by letter to an effective NFIP map. A LOMR-F provides FEMA’s determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

Definitions - L

Light Fixture, Fully-shielded: A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminary, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

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

Local Street: See “*Street, Local.*”

LOMA: See “*Letter of Map Amendment (LOMA).*”

LOMR: See “*Letter of Map Revision (LOMR).*”

LOMR-F: See “*Letter of Map Revision Based on Fill (LOMR-F).*”

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 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, Buildable: See “*Lot, Improved.*”

Lot, Corner: A lot situated at the intersection of two streets or which fronts a street on two 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 building, any accessory structures and impervious surface.

Lot Depth: The horizontal distance between the front and rear lot lines.

Lot, Developed: A lot with buildings or 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 the distance required for standard lots.

Lot, Improved: A lot upon which a structure or building can 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, Front :

1. For an interior or through lot, the line marking the boundary between the lot and the abutting street, right-of-way or a lake or watercourse; and
2. For a corner lot, the line marking the boundary between the lot and each of the abutting streets. (See graphic for “*Yard, Front.*”)

Lot Line, Rear: The lot line that is opposite the front lot line and farthest from it, except that for a triangular or other irregularly-shaped lot, the line ten feet long, parallel to the front lot line, and wholly within the lot, that is farthest from the lot line. (See graphic for “*Yard, Rear.*”)

Lot Line, Side: A lot boundary line other than a front or rear lot line parallel to the front lot line. (See graphic for “*Yard, Side.*”)

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

Lot of Record, Legal Nonconforming: Any lot legally established and recorded prior to the effective date of the Unified Development Ordinance, or its subsequent amendments, that does not meet the lot-specific development standards of the zoning district in which it is located.

Lot of Record, Nonconforming: Any lot established and recorded prior to the effective date of the Unified Development Ordinance, or its subsequent amendments, that does not conform to the lot-specific development standards of the zoning district in which it is located.

Definitions - L

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. **[The third sentence is a development standard. LL 06/27/2005]**

Lot Width: The distance between the side lot lines as measured on the front lot line. 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.

Lowest Adjacent Grade: See “*Grade, Lowest Adjacent.*”

Lowest Floor: See “*Floor, Lowest.*”

Luces: The plural of “*Lux.*”

Lux: Unit of illuminance in the International System of Units (SI) equal to one (1) lumen per square meter. **[Note:** For the sake of simplicity, the singular “lux” is used in place of the plural “lucis” in the text of the Porter County Unified Development Ordinance. This is a common convention used to reduce confusion for the layperson.]

Definitions - M

Main Floor Area: See “*Floor Area, Main.*”

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

1. Is immediately adjacent to a parking space;
2. Is used for and/or is necessary 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 or Subdivision: A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Manufactured Home Park or Subdivision, Existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 21, 1982 (the effective date of the County’s first floodplain management regulations).

Manufactured Home Park or Subdivision, Expansion to an Existing: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured Home Park or Subdivision, New: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after June 21, 1982 (the effective date of the County’s first floodplain management regulations).

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 building 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.

Map Amendment: A change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (*i.e.*, no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

Map Panel Number: The four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter “A” is not used by FEMA, the letter “B” is the first revision.)

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

Definitions - M

Market Value: The building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

Massage Parlor: Any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations; electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with sexual conduct, or where any person providing such treatment, manipulation or service related thereto exposes specified anatomical areas.

Master Plan: See “*Comprehensive Plan.*”

Medical Office: See “*Office, Medical.*”

Mineral Extraction: The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores, sand, soil, earth, clay, or other solid matter, any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, sand, soil, earth, clay, or other solid matter from its original location, and/or the preparation, washing, cleaning, or other treatment of minerals, ores, sand, soil, earth, clay, or other solid matter so as to make them suitable for commercial, industrial, or construction use; but shall not include excavation or grading when conducted solely as part of on-site farming or on-site commercial/residential construction.

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

Mitigation: Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is two-fold: to protect people and structures, and to minimize the cost of disaster response and recovery.

Mobile Home: See “*Dwelling, Mobile Home.*”

Mobile Home Park: See “*Manufactured Home Park.*”

Model Studio: Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.

Monopole Tower: See “*Tower, Monopole.*”

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

Mortuary or Crematory: Establishments where the deceased are physically prepared for final interment.

Motel: An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot, and designed for use by transient automobile travelers. A motel furnishes customary services such as maid service and laundering of linen, telephone, secretarial, or desk service, and the use and upkeep of furniture.

Motel, Adult: A motel wherein material is presented which is distinguished or characterized by an emphasis on depicting or describing sexual conduct or specified anatomical areas.

Motor Home: See “*Vehicle, Recreational.*”

Motor Vehicle: See “*Vehicle, Motor.*”

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.

Definitions - M - N

Mound, Continuous: 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.

MSL: Mean sea level.

Multiple-family Residential District: Refers to the R3 and R4 zoning districts.

National Flood Insurance Program (NFIP): The federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the federal government and the private insurance industry.

National Geodetic Vertical Datum (NGVD): As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New Construction: See “*Construction, New.*”

New Manufactured Home Park or Subdivision: See “*Manufactured Home Park or Subdivision, New.*”

NFIP: See “*National Flood Insurance Program (NFIP).*”

NGVD: See “*National Geodetic Vertical Datum (NGVD).*”

Noise-sensitive Use: See “*Purpose, Noise-sensitive.*”

Noise-sensitive Zone: These zones are established as the areas lying 1,500 feet on either side of the centerline and the extended centerline of runways for a distance of one (1) nautical mile (6,080.20 feet) from the boundary of the airport. There are no slope limitations associated with the Noise-sensitive Zone.

Nonconforming Building: See “*Building, Nonconforming.*”

Nonconforming Lot of Record: See “*Lot of Record, Nonconforming.*”

Nonconforming Sign: See “*Sign, Nonconforming.*”

Nonconforming Telecommunication Facility: See “*Telecommunication Facility, Nonconforming.*”

Nonconforming Use: See “*Use, Nonconforming.*”

Non-precision Instrument Runway: See “*Runway, Non-precision Instrument.*”

NRCS: The Natural Resources Conservation Service (part of the U.S. Department of Agriculture).

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

Obstruction:

1. For the purposes of *Chapter 03*; §*APO: Airport Overlay District* means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in *Chapter 03*; §*APO: Airport Overlay District* of the UDO.
2. For the purposes of *Chapter 05*; §*FP: Floodplain Standards* and *Chapter 07*; §*FL: Floodplain Standards*, includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

Official Zoning Map: A map of Porter County, 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 Executive Director.

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 contractors, general contractors, heating and cooling contractors, landscaping contractors, and plumbing contractor offices, and the like.

Office, Design/Planning: Architecture, engineering, graphic design, and urban planning services and firm offices, and the like.

Office District: Refers to the OT zoning district.

Office, General Services: Employment services, temporary employment agency, insurance office, law office, membership associations, secretarial service, publishing corporate offices, reading clinic, real estate office, service organization, title company, trade office, travel agency, and the like.

Office, Medical: Dental clinic, medical clinic, optical clinic, and veterinarian clinic, and the like.

Office, Professional: An office used by members of a recognized profession such as architects, artists, dentists, engineers, lawyers, musicians, planners, physicians, surgeons, pharmacists, and Realtors or insurance agents and brokers.

Official Zoning Map Copies: A map of Porter County, 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.

One Hundred-year Flood: See “*Flood, One Hundred-year.*”

One-percent Annual Chance Flood: See “*Flood, One-percent Annual Chance.*”

Open Space: An area of land not covered by buildings, parking structures, or accessory uses except for recreational structures. Open space may include nature areas; streams and floodplains; meadows or open fields containing active and/or passive recreational, bicycle paths, *etc.* Open space does not include street rights-of-way, private yards, patio areas, or land scheduled for future development.

Open Space, Common: Land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

Open Space, Permanent: Parks, playgrounds, landscaped green space, and natural areas, not including schools, community centers or other similar areas in public ownership. Where a single-family residential development incorporates individual lots, the yards of such lots shall not constitute open space.

Ornamental Tree: See “*Tree, Ornamental.*”

Outdoor Storage: See “*Storage, Outdoor.*”

Outfall, Approved: A defined waterway, which may include a regulated drain or other such waterway, that has been approved by the Plan Commission to receive the storm water discharge from a given site.

Definitions - O

Overlay District: Refers to the APO, ARO, SRO, WSO, and WPO districts.

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.

Definitions - P

Parcel: See “*Lot.*”

Parent Tract: A lot of record as recorded on [INSERT the effective date of this ordinance]. Multiple lots owned by one (1) person, persons in partnership, or a company and that are contiguous shall together be considered one (1) parent tract. Roads, rivers, easements, and other built or natural features shall not constitute a separation of two (2) or more pieces of land owned by one (1) person, persons in partnership, or a business.

Park, Public: A parcel of land available to the public for passive and active recreation.

Parking Area, Public/Private: 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.

Parking, Required: The maximum 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 (1½) ton capacity.

Parks and Recreation District: Refers to the P1 and P2 zoning districts.

Participating Community: See “*Community, Participating.*”

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, or dirt, sand or grass are not permitted as a paved surface.

Pavement Width: The actual width of a street surface that includes only the area that is drivable by vehicles, not including curbs. (See also “*Street Width.*”)

PD: See “*Planned Unit Development (PD or PUD).*”

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

Perimeter Control: See “*Erosion Control, Perimeter.*”

Perimeter Erosion Control: See “*Erosion Control, Perimeter.*”

Permanent Foundation: See “*Foundation, Permanent.*”

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 Indiana Building Code.

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.

Petition, County-sponsored: Any application or petition submitted to the Plan Commission Office, the Plan Commission, the Board of Zoning Appeals, the Board of County Commissioners, or another office, board, commission, or other body of a unit of government for which Porter County is the petitioner.

Petitioner: The property owner or a person legally empowered in writing by the property owner to act on the property owner’s behalf and who thereby has the property owner’s authority to make representations and decisions before County officials regarding the use and/or development of the subject real property. The term includes the petitioner’s representative.

Definitions - P

Petitioner's Representative: A person legally empowered in writing by the petitioner to act on the petitioner's behalf and who thereby has the petitioner's authority to make representations and decisions before County officials regarding the use and/or development of the subject real property.

Phasing: The sequential development of smaller sections of a larger project site, stabilizing each portion before beginning land disturbance on subsequent portions, to minimize exposure of disturbed land to the erosive forces of wind and water.

Physical Map Revision (PMR): FEMA map change that results in the publication of a new panel or annotated portion.

Place of Worship: Structures and outdoor or indoor facilities used for public worship and accessory educational, cultural and social activities.

Plan Commission: The Porter County Advisory Plan Commission and its designees. The Porter County Plan Commission is an Advisory Plan Commission.

Plan Commission Office: The department delegated the responsibility for the administration of this Unified Development Ordinance's regulations. The term includes the Executive Director and the Executive Director's designees.

Planned Unit Development (PD or PUD): A large-scale unified development meeting the requirements for zoning approval under the provisions of *Chapter 04: Planned Unit Developments* of the Unified Development Ordinance. Generally a planned unit 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 buildings, density, lot coverage, and required open space to the regulations established in any zoning district of the Unified Development Ordinance. This may result in more attractive and affordable development than conventional developments would allow. 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 unit developments. The planned unit development option was discontinued [INSERT effective date of the UDO]; PUD applications are no longer accepted.

Planning Director: See "*Executive Director.*"

Planning Jurisdiction: All land within the county limits of Porter County, Indiana, that is not under the planning jurisdiction of a city or town.

Plant Area: The property containing the area where the mineral extraction shall occur, including the operational installations, if any, for the excavating, processing, and distribution of the minerals.

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, 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 the Plan Commission Rules of Procedure.

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.

PMR: See "*Physical Map Revision (PMR).*"

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

Post-FIRM Construction: See "*Construction, Post-FIRM.*"

Definitions - P

Practical Difficulty: A difficulty with regard to one's ability to improve land stemming from regulations of the Unified Development Ordinance. A practical difficulty is not a "hardship," rather it is a situation where the owner could comply with the regulations within the 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 setback due to a large tree which is blocking the only location that would meet the development standards for a new garage location.

Prairie: A level or slightly rolling, mostly treeless tract of land characterized by native grasses and featuring many native forbs (As examples, indicator species include, but are not limited to, Prairie Dock, Big Bluestem, Indian Grass, Switchgrass, and Blazing Star).

Precision Instrument Runway: See "*Runway, Precision Instrument.*"

Precision Instrument Runway Approach Zone: See "*Approach Zone, Precision Instrument Runway.*"

Pre-FIRM Construction: See "*Construction, Pre-FIRM.*"

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

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

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

Primary Structure: See "*Structure, Primary.*"

Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially-prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway; for military runways, or when the runway has no specially-prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in *Chapter 03; §APO: Airport Overlay District* of the Unified Development Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Primary Surface, Heliport: The area of the primary surface coincides in size and shape with the designated landing and takeoff area of a heliport (runway). This surface is a horizontal plane at the elevation of the established heliport elevation.

Primary Surface, STOL: An imaginary plane three hundred (300) feet wide centered on the runway. The length extends one hundred (100) feet beyond each runway end. The elevation of any point of the primary surface is the same as the elevation of the nearest point on the runway centerline.

Primary Use: 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.

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

Probation: A means of formally notifying participating communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

Professional Office: See "*Office, Professional.*"

Program, Emergency: The first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before **the effective date of the initial FIRM**.

Program, Regular: The phase of the community's participation in the NFIP where more comprehensive floodplain management regulations are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

Public Improvements: Any storm drainage facility, street, highway, parkway, sidewalk, pedestrian-way, tree, lawn, off-street parking area, lot improvement, utility, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

Definitions - P

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 must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

Public Safety and Nuisance: Anything that is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

Public Street: See “*Street, Public.*”

Public Utility: See “*Utility, Public.*”

Public Water Supply System (PWSS): A public water supply system for the provision to the public of piped water for human consumption if such a system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year.

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

PUD: See “*Planned Unit Development (PD or PUD).*”

Purpose, Noise-sensitive: The use of a building or structure as a residence, school, place of worship, child care facility, medical facility, retirement home, or nursing home.

Definitions - Q - R

Rear Yard: See “*Yard, Rear.*”

Recreation, Active: Open space that may be improved and set aside, dedicated, designated or reserved for recreational facilities such as play equipment for children, ball fields, court games, swimming pools, picnic tables, *etc.*

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

Recreation, Passive: Recreation that involves existing natural resources and has minimal impact.

Recreational Vehicle: See “*Vehicle, Recreational.*”

Recreational Vehicle Park: Any commercially zoned site, lot, field, or tract of land under single ownership, or ownership of two (2) or more people, designed with facilities for short term occupancy for recreational vehicles only.

Reforestation: Replacement of tree species on the parcel to mirror conditions prior to clearing. Tree species to be planted would be determined by study of the original parcel using aerial photography supplemented by study of adjacent or nearby forested parcels.

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.

Regular Program: See “*Program, Regular.*”

Regulated Drain: An open drain, a tiled drain, or a combination of the two which was established through either the Circuit Court or Commissioners Court of the County prior to January 1, 1966, or by the County Drainage Board since that time, with rights of entry, maintenance, reconstruction and construction exclusive to the County Drainage Board and its agents.

Regulatory Flood: See “*Flood, Regulatory.*”

Regulatory Floodway: See “*Floodway, Regulatory.*”

Repetitive Loss: Flood-related damages sustained by a structure on two (2) separate occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded twenty-five percent (25%) of the market value of the structure at the time of each such flood event.

Replat: A change in a recorded subdivision plat if such change affects any street layout or area reserved thereon for public use or any lot line or easement; or if it affects any map or plan legally recorded.

Residential District: Refers to the RR, R1, R2, R3, R4, RL and MP zoning districts.

Residential District, Single-family: Refers to the RR, R1, R2, RL and MP zoning 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 Ill: A residential facility which provides residential services for mentally ill individuals as described in [IC 12-28-4](#). No Residential Facility for the Mentally Ill shall be within 3,000 feet of another in the County’s 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; 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.

Resubdivision: See “*Replat.*”

Definitions - R

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. (See also “*Drive-through Establishments.*”)

Retail, High Intensity: Retail businesses that have a high impact on neighboring properties, traffic generation, and public safety. Example businesses include a: boat sales (small), building finishes store (large), building supply store (large), department store (large), furniture store (large), grocery/supermarket (large), home electronics/appliance store (large), office supplies (large), sporting goods (large), superstore, variety store (large), and vehicle sales (small).

Retail, Low Intensity: Retail businesses that have a low impact on neighboring properties, traffic generation, and public safety. Example businesses include a: bakery, book store (small), convenience store (small), craft gallery (small), drug store (small), gift shop (medium), and meat market.

Retail, Medium Intensity: Retail businesses that have a moderate impact on neighboring properties, traffic generation, and public safety. Example businesses include a: antique shop, apparel shop, art and craft supplies, auto part sales (new), auto part sales (used), book store (large), boutique, building finishes store (small), building supply store (small), computer sales, convenience store (large), craft gallery (large), department store (small), drug store (large), fabric shop, furniture store (small), garden shop, gift shop (large), golf/tennis pro shop, grocery/supermarket (small), home electronics/appliance store (small), liquor sales, music/media shop, musical instruments store, office supplies (small), pawn shop, pet store (small), plant/tree shop, shoe sales, sporting goods (small), and variety store (small).

Retail, Very High Intensity: Retail businesses that have a very high impact on neighboring properties, traffic generation, and public safety. Example businesses include a: boat sales (large), construction vehicle sales, farm equipment sales, heavy equipment sales, manufactured home sales, semi tractor-trailer sales, and vehicle sales (large).

Retail, Very Low Intensity: Retail businesses that have very little impact on neighboring properties, traffic generation, and public safety. Example businesses include an: art gallery, flower shop, gift shop (small), jewelry store, and news dealer.

Retention Facility: See “*Facility, Retention.*”

Retirement Community: An age-restricted development, which may include detached and attached dwelling units, apartments, and may also have a nursing home component.

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.

Riparian Area: Wooded or vegetated areas along creeks, streams, rivers, or designated regulated drains. The area on each bank designated as a riparian area shall be no wider than the average width of the creek, stream, or river at normal flow elevation, but be no less than ten (10) feet in width from the top of banks.

ROW: See “*Right-of-way.*”

Road: See “*Street.*”

Road, Frontage: A street that is parallel to and adjacent to a thoroughfare and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the thoroughfare, and so that the flow of traffic on the thoroughfare is not impeded by direct driveway access from a large number of abutting properties.

Root Protection Zone: Generally, eighteen (18) to twenty-four (24) inches deep and a distance from the trunk of a tree equal to one-half (½) its height or its drip line, whichever is greater.

Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Definitions - R

Runway, Larger than Utility: A runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and by jet-powered aircraft.

Runway Larger than Utility Visual Approach Zone: See “*Approach Zone, Runway Larger than Utility Visual.*”

Runway Larger than Utility with a Visibility Minimum as Low as Three-fourths Mile, Non-precision Instrument Approach Zone: See “*Approach Zone, Runway Larger than Utility with a Visibility Minimum as Low as Three-fourths Mile, Non-precision Instrument.*”

Runway Larger than Utility with a Visibility Minimum Greater than Three-fourths Mile, Non-precision Instrument Approach Zone: See “*Approach Zone, Runway Larger than Utility with a Visibility Minimum Greater than Three-fourths Mile, Non-precision Instrument.*”

Runway, Non-precision Instrument:

1. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in, non-precision instrument approach procedure has been approved or planned; or
2. A runway for which a non-precision approach system is planned and is so indicated on an approved Airport Layout Plan or any other planning document authorized by the Federal Aviation Administration (FAA), the Indiana Department of Transportation - Aeronautics Section, or the Porter County Municipal Airport Authority.

Runway, Precision Instrument:

1. A runway having an existing instrument approach procedure utilizing air navigation facilities with both horizontal and vertical guidance, including, but not limited to, an Instrument Landing System (ILS), a Precision Approach Radar (PAR), or a Global Positioning System (GPS); or
2. A runway for which a precision approach system is planned and is so indicated on an approved Airport Layout Plan or any other planning document authorized by the Federal Aviation Administration (FAA), the Indiana Department of Transportation - Aeronautics Section, or the Porter County Municipal Airport Authority.

Runway, Utility: A runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight and less.

Runway, Visual: A runway intended solely for the operation of aircraft using visual approach procedures.

Sanitary Landfill: The burial of nonhazardous, and nonmedical agricultural, residential, institutional, commercial, or industrial waste; hazardous waste shall be defined pursuant to EPA, IDEM, or other applicable government regulation.

Satellite Dish/Antenna: An apparatus capable of receiving communications from a transmitter relay located in a planetary orbit, or broadcasted 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 or bailment 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.

The storage, dealing in or the permitting of the accumulation of significant quantities of combustible, organic or nonmetal scrap materials such as wood, paper, rags, garbage, bones and shattered glass on the premises of such an establishment will disqualify it from being classified as a scrap metal yard, and the same will be classified as a junk yard.

Secondary Plat: See “*Plat, Secondary.*”

Section 1316: That section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Floodplain Administrator finds has been declared by a duly constituted State or local zoning authority or other authorized public body to be in violation of State or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Sediment Control: Measures that collect, divert, and/or treat sediment-laden storm water before it leaves the site.

Semitrailer: A vehicle without motive power, designed for carrying property and for being drawn by a motor vehicle, and so constructed that some part of the weight of the semitrailer and that of the semitrailer’s load rests upon or is carried by another vehicle. The term does not include a trailer designed to be towed by a car, SUV, mini-van or pickup truck by means of a bumper or frame hitch.

Setback: The minimum horizontal distance between the building line and a lot line or right-of-way.

Setback, Average: An average of a given (*i.e.* front, side, or rear) setback for existing structures on either side of the subject property that are in the same zoning district. If the subject property is a corner lot, the average of the established front setback of structures adjacent to the subject property, along with the established front setback of structures directly across the street from the subject property shall be used.

Setback, Established: A dimension extending across the full width or depth of the lot between the primary structure and any lot line, the depth of which is the least distance between the given lot line and the primary structure.

SFHA: See “*Special Flood Hazard Area (SFHA).*”

Side Lot Line: A lot boundary line other than a front or rear lot line. (See graphic under “*Yard, Side.*”)

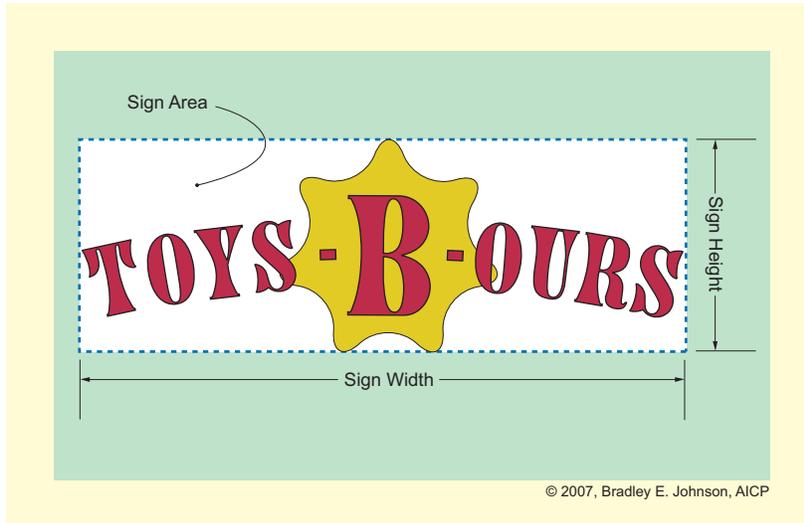
Side Yard: See “*Yard, Side.*”

Sign: Any display or device placed on a property in any fashion which is designed, intended, or used to convey any identification, message or information other than an address number.

Sign, Accessory: A sign that is related to the principal use of the premises.

Definitions - S

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.



Sign, Commercial: A sign identifying only the name and location of a particular business enterprise and located on the premises where the sign is displayed.

Sign, Construction: A sign directing attention to construction upon the property where the sign is displayed, and bearing the name, address, subplot number, or other identifier of the contractor, subcontractor, and/or architect.

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

Sign, Flashing: Any illuminated sign which exhibits changing light or color effects.

Sign, Ground: A sign permanently attached to the ground and whose supporting structure extends less than six feet in height from the finished grade to the bottom of the sign face.

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, Legal Nonconforming: Any sign lawfully existing on **[INSERT the effective date of the UDO]**, or amendment thereto, that does not conform to all the standards and regulations of the Unified Development Ordinance and has been registered within the allotted time period as described in *Chapter 09: Nonconformance* of the Unified Development Ordinance.

Sign, Monument: A sign permanently attached to the ground, and not attached to any part of a building, which is erected in a manner so that no views are possible underneath the bottom edge of the sign surface.

Sign, Mural: A sign painted onto the side of a building, wall, ground, or structure. A mural sign is regulated as a wall sign in the Unified Development Ordinances. Murals without a commercial message are not regulated by the Unified Development Ordinance.

Sign, Non-accessory: A sign that is not related to the principal use of the premises.

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

Sign, Off-premises: A sign directing attention to a specific business, product, service, entertainment, or any other activity offered, sold, or conducted elsewhere than upon the lot where the sign is displayed.

Sign, On-premises: A name, identification, description, display of illustration or symbol which is affixed to, or painted, or represented directly upon a structure or piece of land, and which directs attention to an object, product, place, activity, person, institution, organization, or business located on, in, or within such structure or on such piece of land and which is visible from any public street, right-of-way, sidewalk, park, or other public property.

Sign, Outdoor Advertising: A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed. Also called billboard or off-premise sign.

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 (1) 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.

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.

Sign, Public Information: A sign displaying public information as the principal message in addition to information designed to assist, alert, or inform the public. Such signs may display only the name and corporate logo of the business or agency providing such information.

Sign, Real Estate: A sign announcing the sale, rental, or lease of the lot where the sign is displayed, or announcing the sale, rental, or lease of one or more structures, or a portion thereof, located on such lot, and identifying the owner, realty agent, telephone numbers, or “open house” information.

Sign, Residential: A sign containing the name of a residential complex or subdivision, with or without its accompanying address.

Sign, Restaurant Menu: Any display of all or part of a restaurant menu, or a summary thereof, in such a way that it is visible from the exterior of the building.

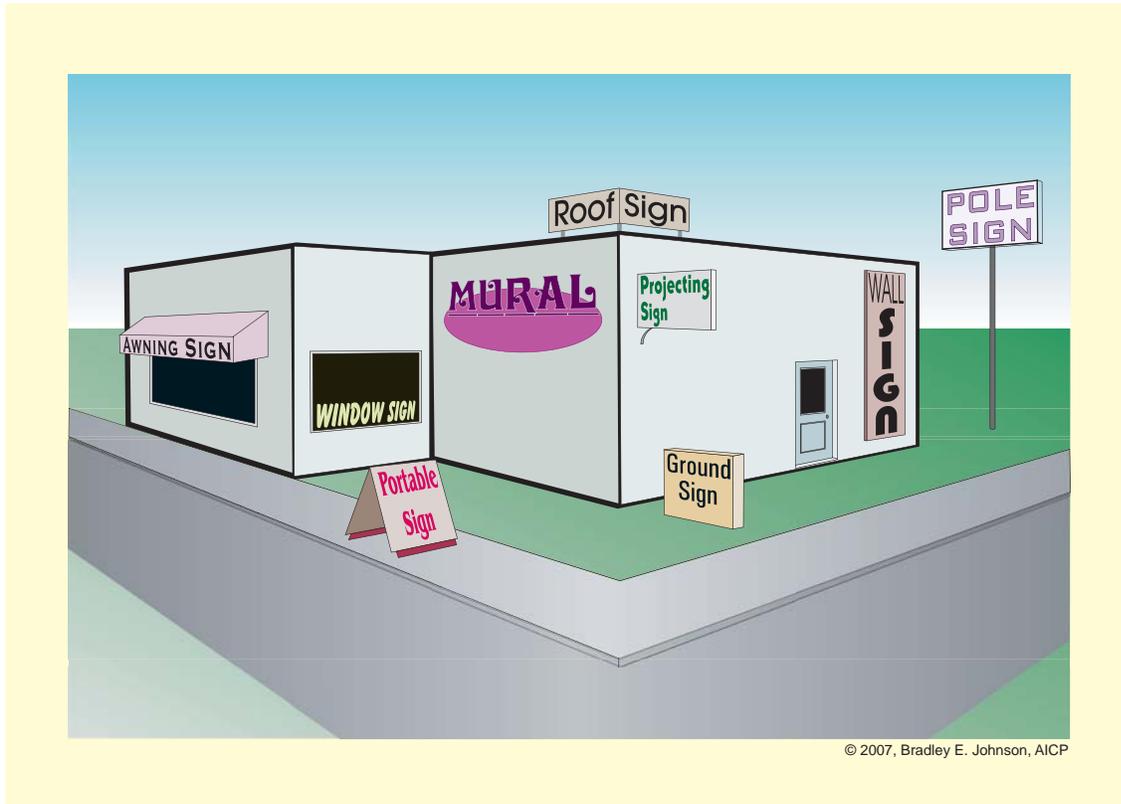
Sign, Sandwich Board: A portable sign for display in front of a business for the specific use of advertising that business.

Sign, Special Event: A sign upon which information about events or activities conducted by religious, civic, educational, community, governmental, or similar organizations is displayed.

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.

Definitions - S

Signs, Types of: The graphic below depicts the primary types of signs. Regulations for the type of signs permitted will vary by zoning district.



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.

Single-family Residential District: See “*Residential District, Single-family.*”

Site: The real property on which land-disturbing activities are taking place. The site may refer to a parcel of land proposed for subdivision development, the site of a commercial or industrial construction activity, or a lot for a single-family or two-family dwelling.

Site Plan: See “*Development Plan.*”

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

Special Flood Hazard Area (SFHA): Those lands within the jurisdiction (including extraterritorial jurisdictions) of the County subject to inundation by the regulatory flood. The SFHAs of the County are generally identified as such on the Flood Insurance Rate Map of Porter County and Incorporated Areas dated April 1, 1982, as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date. (These areas are shown on a FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO).

Special Handling Retail: Retail businesses that sell products that require special handling due to risks to public safety. Example businesses include: fireworks sales, gun sales, and hunting stores.

Specimen Tree: See “*Tree, Specimen.*”

SRO: Scenic Roadway Overlay District.

Stabilization: The use of management practices that protect the soil from erosive forces of wind and water.

Stable, Commercial: A structure and/or land use in or on which equines are kept for sale or hire to the public. Breeding, boarding, or training of equines may also be conducted.

Stable, Large: A stable that can accommodate more than twenty (20) horses.

Stable, Private: An accessory structure and/or land use that is designed, arranged, used, or intended to be used for the keeping of equines for the private use of the occupants of a principal dwelling, but in no event for hire, boarding, or other business use.

Stable, Riding: A large structure used for exercising, training and/or riding of equines.

Stable, Small: A stable that cannot accommodate more than twenty (20) horses.

Start of Construction: See “*Construction, Start of.*”

State: The State of Indiana.

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

Storm Water Design Manual: A manual prepared or otherwise adopted by the Plan Commission under *Chapter 07; §SM: Storm Water Standards*, which may include additional policy, criteria, information, specifications and standards for storm water management.

Storm Water Management: The use of structural or non-structural practices that are designed to reduce storm runoff pollutant loads, discharge volumes and/or peak flow discharge rates.

Storm Water Management Facility: The physical infrastructure (*e.g.* detention facilities, drainage swales, retention facilities, storm sewers, *etc.*) installed to control and direct storm water runoff on and from a site. The term does not include natural features such as floodplains, lakes, rivers, streams, and the like.

Storm Water Management Practices: The conventions, easements, laws, methods, ordinances, policies, regulations, requirements, rules, statutes, *etc.* at all levels of government, and the engineering best practices that determine the manner in which storm water runoff is controlled, directed, and managed.

Storm Water Management Standards: The minimum requirements for storm water management set forth in *Chapter 07; §SM: Storm Water Standards* and in the County’s *Storm Water Design Manual*.

Storm Water Management System: The complete design implemented to achieve compliance with *Chapter 07; §SM: Storm Water Standards*, utilizing a suitable combination of storm water management practices and storm water management facilities.

Story: That portion of a building 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 thereof.

Stream Corridor: Any river, stream, or creek, and their headwaters together with adjacent upland areas that support protective bands of vegetation that line the water’s edge.

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 recording officer 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, Collector: A street carrying traffic from local streets to the major system of arterial streets and including the principal entrance to a residential development and principal streets for circulation within such a development. As designated on the on the Functional Street Classification Map within the *Porter County Land Use and Thoroughfare Plan*.

Definitions - S

Street, Fully Improved: A street that has been engineered and constructed to meet or exceed the County's minimum standards of the street's functional classification in the Thoroughfare Plan.

Street, Highway: A multi-lane highway, whether divided or undivided that serves a high volume of traffic for both long and short trips. As designated on the on the Functional Street Classification Map within the *Porter County Land Use and Thoroughfare Plan*.

Street, Local: A street designed primarily to provide access to abutting properties and discourage through traffic, as depicted by the Thoroughfare Plan within the Comprehensive Plan.

Street, Arterial: A street with access control, restricted parking, and that collects and distributes traffic to and from secondary arterials, as depicted by the Thoroughfare Plan within the Comprehensive Plan.

Street, Private: Vehicular streets and driveways, paved or unpaved, that are maintained by the adjoining property owners 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.

Street Width: The paved area of a street measured from back of curb to back of curb. (See also "*Pavement Width*."")

Structural Alterations: 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. See also "*Building*."

Structure:

1. For the purposes of *Chapter 03; §APO: Airport Overlay District* means an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
2. For the purposes of *Chapter 05; §FP: Floodplain Standards* and *Chapter 07; §FL: Floodplain Standards*, means a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than one hundred eighty (180) days. (See also "*Building*."")

Structure, Accessory: A building or structure which:

1. Is subordinate to a primary building or structure in area, intent, and/or purpose;
2. Contributes to the comfort, convenience, or necessity of occupants of the primary building, 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 building, structure, or 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 building or 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. *Telecommunication Facility:* In the case of a telecommunication tower, antenna, or other radio or cellular communications or equipment, a subordinate structure detached from but located on the same site, the use of which is incidental and accessory to that of the principal telecommunication tower, antenna, or other radio or cellular communications equipment.

Structure, Addition to an Existing: See "*Addition to an Existing Structure*."

Definitions - S

Structure, Attached: 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 must abide by all regulations pertaining to primary structures.

Structure, Elevated: A non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

Structure Height: The vertical distance measured from the lot ground level to the highest point of the roof.

Structure, Historic: Any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological & Cultural Sites, Structures, Districts, & Objects.

Structure, Landscape: See “*Landscape Structure.*”

Structure, Legal Nonconforming: See “*Building, Legal Nonconforming.*”

Structure, Primary: The building or structure in which the principal use of the lot or premises is located or conducted, with respect to residential uses, the principal building or structure shall be the main dwelling. Only one (1) primary structure shall be allowed on any one (1) lot at any time, with the exception of any recorded Secondary Plat involving multiple-family residential development with more than one (1) residential structure.

Subdivision: The division of a parent tract or other piece of land into at least two (2) smaller lots or the combination of two (2) or more smaller lots into one (1) lot so that, either now or in the future, the subdivider can transfer ownership, construct buildings or establish a use other than vacant, or create new building sites for leasehold, and as further defined in the Unified Development Ordinance.

Substantial Damage: See “*Damage, Substantial.*”

Substantial Improvement: See “*Improvement, Substantial.*”

Surveyor: See “*Registered Land Surveyor.*”

Suspension: The removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

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/use.

Definitions - S

TAC: See "*Development Advisory Committee (DAC)*."

Telecommunication Facility: A land based facility, consisting of towers, antennas, accessory buildings and 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.

Telecommunication Facility, Nonconforming: A telecommunication facility or portion a telecommunication facility, which was designed, erected, or structurally altered such that it does not conform to the regulations of the zoning district in which it is located.

Telecommunication Tower: See "*Tower, Telecommunication*."

Temporary Use/Structure: 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.

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 designated on the on the Functional Street Classification Map within the *Porter County Land Use and Thoroughfare Plan*.

Tower: See "*Tower, Telecommunication*."

Tower, Guyed: Telecommunication towers anchored by cables or wires which can accommodate a variety of users and antennas.

Tower Height: The vertical distance from the ground level to the highest point of a communications tower, or attached antenna or similar device, including unattached telecommunications facilities.

Tower, Lattice: A freestanding telecommunications tower that generally has three (3) or four (4) steel support legs that can accommodate a variety of users and antennas.

Tower, Monopole: A free standing telecommunication tower which consists of a single pole, approximately three (3) feet in diameter to the base and narrowing to roughly one and one-half (1.5) feet at the top which can accommodate a variety of users and antennas.

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

Tower, Telecommunication: Any structure designed and constructed primarily for the purpose of supporting one (1) 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.

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

Tractor: A motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind. The term does not include a farm tractor.

Transitional Surface: Surfaces extending outward at ninety-degree (90°) angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at ninety-degree (90°) angles to the extended runway centerline.

Definitions - T

Transitional Zone: These zones are established as the area beneath the transitional surfaces. These surfaces extend outward and upward at ninety-degree (90°) angles to the runway centerline. Transitional Zones, for those portions of the Precision Instrument Runway Approach Zones that project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the Approach Zone and at ninety-degree (90°) angles to the extended runway centerline.

Tree, Canopy: A deciduous tree that grows to at least forty (40) feet in height and has a canopy that is round or oval in shape. Conical or tubular shaped trees are not canopy trees.

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

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

Two-page Layout: Two-page Layout refers to the two-page layout accompanying each zoning district in *Chapter 02: Zoning Districts* of the Unified Development Ordinance. The two-page layout includes permitted uses, special exception uses, and basic zoning district information.

Definitions - U

UDO: See “*Unified Development Ordinance (UDO)*.”

Unbuildable Land: The area of a site that includes:

1. Wetlands and submerged areas;
2. Slopes of fourteen percent (14%) or more; or
3. The 100-year floodplain.

Underlying Zoning District: See “*Zoning District, Base*.”

Unified Development Ordinance (UDO): The Porter County Zoning Ordinance and Subdivision Control Ordinance.

Unit of Local Government: See “*Government, Unit of Local*.”

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, Legal Nonconforming: 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.

Use, Noise-sensitive: See “*Purpose, Noise-sensitive*.”

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

Use Variance: See “*Variance, Use*.”

USGS: The United States Geological Survey (part of the U.S. Department of the Interior).

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 chapter.

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

Utility, Municipally-owned: Every utility that is owned or operated by a unit of local government.

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.

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.

The term does not include a municipality that may acquire, own, or operate any of the foregoing facilities.

Utility Runway: See “*Runway, Utility*.”

Utility Runway Non-precision Instrument Approach Zone: See “*Approach Zone, Utility Runway Non-precision Instrument*.”

Utility Runway Visual Approach Zone: See “*Approach Zone, Utility Runway Visual*.”

Definitions - V

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, Floodplain Standards: A grant of relief from the requirements of *Chapter 05*; *§FP: Floodplain Standards* or *Chapter 07*; *§FL: Floodplain Standards*, which permits construction in a manner otherwise prohibited by *Chapter 05*; *§FP: Floodplain Standards* or *Chapter 07*; *§FL: Floodplain Standards* where specific enforcement would result in unnecessary hardship.

Variance, Use: The approval of a use other than that prescribed by the Unified Development Ordinance, an act granted by IC 36-7-4-918.3.

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

Vehicle: See “*Vehicle, Motor.*”

Vehicle, Inoperable: A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable.

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

Vehicle, Recreational: 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.

Vehicle, Recreational: A vehicle that is:

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Violation, Floodplain Standards: The failure of a structure or other development to be fully compliant with *Chapter 05*; *§FP: Floodplain Standards* and/or *Chapter 07*; *§FL: Floodplain Standards*. A structure or other development without the elevation, other certification, or other evidence of compliance required in *Chapter 05*; *§FP: Floodplain Standards* and/or *Chapter 07*; *§FL: Floodplain Standards* is presumed to be in violation until such time as that documentation is provided.

Visual Runway: See “*Runway, Visual.*”

VTOL: Vertical takeoff and landing.

Definitions - W

Water Surface Elevation: See “*Elevation, Water Surface.*”

Watercourse: A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. The term includes specifically designated areas in which substantial flood damage may occur.

Waterway: Any natural or man-made watercourse, creek, ditch, drain, drainage way, ravine, river, stream, wetland, or division having well-defined banks and a bottom in a definite direction in a course or intermittently flowing.

Wellhead Protection Administrator: An official appointed by the CPWSS, who is responsible for administering and implementing the wellhead protection program of the CPWSS.

Wellhead Protection Area: The surface and subsurface area, delineated by a CPWSS and approved by IDEM under 327 IAC 8-4.1-1 *et seq.*, which contributes water to a CPWSS production well or wellfield and through which contaminants are likely to move through and reach the well within a specified period.

Wellhead Protection Program (WHPP): A program to sustain drinking water quality in ground water that supply public water supply wells and wellfields, as mandated by the 1986 amendments to the federal Safe Drinking Water Act, Title II, Section 205, Subsection 1428.

Wellhead Protection Overlay (WPO) District: The land area encompassing a wellhead protection area established by the Plan Commission.

Wetland: Those areas that are inundated and saturated by surface of ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

WHPP: See “*Wellhead Protection Program (WHPP).*”

Wooded Lot: An area which contains trees at a rate above two hundred fifty (250) cumulative inches DBH per acre. Trees under two and one-half (2.5) inches DBH are not included in the cumulative DBH calculation per acre.

WPO: Wellhead Protection Overlay District.

WSO: Watershed Overlay District.

Definitions - X - Y

X Zone: The area where the flood hazard is less than that in the SFHA. Shaded X Zones shown on recent FIRMs (B Zones on older FIRMs) designate areas subject to inundation by the flood with a two-tenths of one percent (0.2%) chance of being equaled or exceeded (the 500-year flood). Unshaded X Zones (C Zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than two-tenths of one percent (0.2%).

Yard: A space on the same lot with a primary building that is open and unobstructed except as otherwise authorized by the Unified Development Ordinance.

Yard, Buffer: 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. Buffer yards are in addition to (separate from) front, rear, or side yard setbacks.

Yard, Established Front: A yard extending across the full width of the lot between the primary building and the front lot line, the depth of which is the least distance between the front lot line and the building.

Yard, Front: The horizontal space between the nearest foundation of the primary 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.

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 (2) side yards.

Yard, Required: The area encompassed by a minimum setback line and the property line. 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, Side: The horizontal space between the nearest foundation or structural appurtenance of a building to the side lot line.

Definitions - Z

Zone: A geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

Zone A: See “A Zone.”

Zone, Approach: See “Approach Zone.”

Zone B, C, and X: Areas in the County identified as areas of moderate or minimal hazard from the principal source of flood in the area. However, structures in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

Zone X: See “X Zone.”

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

Zoning District, Base: In the case of an overlay district, the standard zoning district in which the parcel or tract is located, and the standards of which apply when the overlay district regulations are silent on any given point.

Zoning District, Default: In the case of a Planned Unit Development, the standard zoning district the standards of which apply when the PUD District Ordinance regulations are silent on any given point.

Zoning District, Standard: See “Zoning District.”

Zoning District, Underlying: See “Zoning District, Base.”

Zoning Map: See “Official Zoning Map.”

Zoning Ordinance: See “Unified Development Ordinance (UDO).”

