

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 25-13

**AN ORDINANCE TO AMEND THE TEXT OF ORD. 20-29 "UNIFIED DEVELOPMENT
ORDINANCE", ARTICLE 25, VARIOUS SECTIONS REGARDING ZONING
VERIFICATION, USE TABLE, SPECIAL EXCEPTION STANDARDS, FENCES AND
SCREENS, ACCESSORY STRUCTURES, BUILDING DESIGN STANDARDS, SIGNS,
AND GLOSSARY**

WHEREAS, it is recommended that various sections of the Greenwood Unified Development Ordinance ("UDO") be amended to correct errors and omission, and to clarify, add and delete language, and align with the vision outlined in the comprehensive plan;

WHEREAS, the Greenwood Advisory Plan Commission ("Commission") conducted a public hearing on the petition for these text amendments to the UDO;

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation (8-0)** regarding said text amendments and certified the same to the Greenwood Common Council;

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter; and

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Greenwood Common Council hereby amends Greenwood Common Council Ordinance No. 20-29, entitled "An Ordinance to Repeal the Zoning Ordinance (Including the Official Zone Map), the Subdivision and Land Development Ordinance, and Chapter 10, Articles 1 through 24, of the Greenwood Municipal Code (1993), to Replace them with a Unified Development Ordinance and Official Zone Map, and to Repeal all Ordinances in Conflict Herewith", incorporated within the Greenwood Municipal Code (1993), as a part of Chapter 10, Article 25, as follows:

A. In Division I., Introduction and Using this Ordinance, Sec. 10-01-10, Rules of Interpreting District and Zone Boundaries on Official Zoning Map:

A.1 Inserting the capital letter "A" as a subsection identifier before the introductory paragraph, and revise former subsection paragraph letters "A., B. C., D., E. and F." to numbers "1., 2., 3., 4., 5., and 6.", in consecutive order.

A.2 Insert an additional subsection, subsection B., regarding Zoning Verification Letters, to read as follows:

"B. Where confirmation of zoning is required for due diligence, financing, or permitting purposes, a zoning verification letter may be requested from the city. A "Zoning Verification Letter" (ZVL) is an official document issued by the Planning Division.

1. Zoning Verification Letter serves as an official document that provides essential zoning information to assist in property transactions, development proposals, and compliance with local zoning regulations.

2. Includes current zoning district, existing and proposed uses, and whether the use is permitted by right or is legal non-conforming.

3. Outlines zoning classifications and uses of adjacent properties, confirms if property is part of a Planned Unit Development (PUD) or Overlay District, and indicates status of site plan approvals, variances, and commitments.
4. Addresses any open zoning, building, or fire code violations, and confirms the existence of open building permits and Certificates of Occupancy.
5. The City shall charge a fee for the issuance of a Zoning Verification Letter to cover administrative costs.

B. In Division II., Districts and Zones, Sec. 10-02-11., Master List of Uses by Zone and District table:

- B.1 Under "Agriculture", change "Elevator, Feedmill, Fertilizer, Other Services" use to "Elevator/Feedmill, Fertilizer/Other Services" use for consistency, and change "Enclosed Confined Feeding" use to "Confined Feeding Operation" use, to align with Glossary definition;
- B.2 "Under Arts and Entertainment", change "Arts Center, Studio or Gallery" use to "Arts Center/Studio/Gallery" use, and remove the use from RMH- Residential Mobile Homes Zone as a Permitted Principal use and add it as an AC-Airport Commerce District Permitted Principal use;
- B.3 Under "Automotive Retail":
 - a. Delete "Retail-Convenience with gasoline" use and its Permitted Principal use and Special Exception use categories in their entirety;
 - b. Change "Vehicular-Gasoline with Convenience Sales" use to "Vehicular, Gasoline Sales" use, and add it as a Special Exception use in the IM-Industrial-Medium Format Zone and IC-Interstate Commerce District;
 - c. Delete "Vehicular-Gasoline without Convenience Sales" use and its Permitted Principal use categories in their entirety;
 - d. Delete the "- " from "Vehicular- Impound" use and change it to read "Vehicular, Impound" use, and delete it as a Permitted Principal use in the IM-Industrial-Medium Format Zone;
 - e. Delete the "- " from "Vehicular Sales – Automobiles" use and change it to read "Vehicular Sales, Automobiles";
 - f. Delete the "- " from "Vehicular Sales – Motorcycles" use and change it to read "Vehicular Sales, Motorcycles"; and
 - g. Delete the "- " from "Vehicular Sales – Recreational Vehicles and Boats" and change it to read "Vehicular Sales, Recreational Vehicles and Boats";
- B.4 Under "Automotive Services":
 - a. Delete the "- " from "Vehicular Care Services – Major" and change it to read "Vehicular Care Services, Major";
 - b. Change "Vehicular Care Services –Non-Major" to "Vehicular Care Services, Minor" to align with Glossary;
- B.5 Under "Personal Care Services":
 - a. Add "Child Day Care – Center" as a Permitted Accessory use in the IL-Industrial-Large Format Zone;

- b. Change "Crematorium (stand alone) from a Permitted Principal Use to a Permitted Accessory use in the CS-Commercial-Small Format Zone and CM-Commercial-Medium Format Zone; add it as Permitted Accessory use in the CL-Commercial-Large Format Zone and OS-Open Space District; and add it as a Permitted Principal use in the IL-Industrial-Large Format Zone;
- c. Add "Funeral Home" as a Permitted Principal use in the OS-Open Space District;

B.6 Under "Congregation":

- a. Change "Event Center-Private Events and Conferences" use to "Event Center" use, and add it as a Permitted Principal use in the AC-Airport Commerce District;
- b. Change "Social Club" use to "Social/Civic Club" use;
- c. Add "Religious Assembly" as a Permitted Principal use in the AC-Airport Commerce District;

B.7 Under "Eating and Drinking":

- a. Delete "Beverage-Brewing and Distilling w/on-premise consumption" use and its Permitted Principal use categories in their entirety;
- b. Change "Beverage Sales – Liquor and Beer Sit Down/Bar Establishment" use to "Bar Establishment" use;
- c. Change "Food Service – Quick Serve/Fast Food With Drive Thru" use to "Drive Thru" use, and remove the use from the AC-Airport Commerce District;
- d. Delete "Food Service – Quick Serve/Fast Food Without Drive Thru" use and its Permitted Principal use categories and Permitted Accessory use category in their entirety;
- e. Delete "Food Service – Fast Casual Restaurant" use and "Food Service – Full Service Restaurant" use and their Permitted Principal use categories in their entirety;
- f. Add "Eating/Drinking Establishment" use to the use list as a Permitted Principal use in the CS-Commercial-Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, IC-Interstate Commerce District, and AC-Airport Commerce District;

B.8 Under "Medical/Health":

- a. Add "Health and Wellness-Fitness Facility/Gym" as a Permitted Accessory use in the RMC-Residential-Multi-Unit Complex Zone; delete it as a Permitted Principal use in the RMH-Residential-Mobile Homes Zone; and add it as a Permitted Principal use in the IM-Industrial-Medium Format Zone;
- b. Delete "Medical – Full Service Hospital" use to "Hospital" and remove the use from OT-Old Town District, OTR- Old Town Residential District, OS-Open Space District, and AG-Agricultural Zone;
- c. Delete "Medical- Outpatient and Urgent Care" use and its Permitted Principal use categories in their entirety;
- d. Delete "Medical- Psychiatric Facility – Standalone" use and its Permitted Principal use categories in their entirety;
- e. Delete "Medical – Dentist" use and its Permitted Principal use categories in their entirety;

- f. Delete “Medical – Optometrist” use and its Permitted Principal use categories in their entirety;
- g. Delete “Medical – Standalone Emergency Services” use and its Permitted Principal use categories in their entirety;
- h. Add “Medical Office” use to the list of uses as a Permitted Principal Use in the CS-Commercial – Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, IC-Interstate Commerce District, and AC-Airport Commerce District

B.9 Under “Industrial”:

- a. Delete “Beverage – Distribution” use and its Permitted Principal use categories in their entirety;
- b. Add “Data Center” use to the list of uses as a Special Exception use in the Industrial – Large Format Zone;
- c. Change “Beverage – Brewing and Distilling w/out on-premise consumption” use to “Beverage Production/Distribution” use;
- d. Change “Food Service – Processing” use to “Food Service - Processing/Production” use, and delete “Food Service – Production” use and its Permitted Principal Use categories in their entirety;
- e. Add “Manufacturing – Artisan” use as a Permitted Principal Use in the CS - Commercial-Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, IC-Interstate Commerce District, and AC-Airport Commerce District;
- f. Change “Warehouse – Large Format” use to “Warehouse Large” use;
- g. Change “Warehouse – Small Format” use to “Warehouse - Small (under 150,000 square feet)”

B.10 Under “Education”:

Add “School – Post-Secondary” use as a Permitted Principal Use in the CS-Commercial-Small Format Zone;

B.11 Under “Lodging”:

- a. Change “Overnight Lodging – Bed and Breakfast” use to “Lodging – Bed and Breakfast” use;
- b. Change “Overnight Lodging – Extended Stay” use to “Lodging – Extended Stay” use and delete it as a Permitted Principal Use in the CM-Commercial-Medium Format Zone;
- c. Change “Overnight Lodging – Hotel” use to “Lodging- Hotel” use;
- d. Delete “Overnight Lodging – Transient Occupancy” use from the list of uses and its Permitted Accessory Use in the IC-Interstate Commerce District in its entirety;
- e. Add “Lodging –Motel” use to the list of uses as a Permitted Principal Use in the CL – Commercial –Large Format Zone and IC-Interstate Commerce District

B.12 Under “Institutional”:

- a. Delete "Event Center – Public Meetings and Conventions" for the list of uses and its use categories in their entirety;
- b. Change "Community Facility – Detention and Corrections" use to "Detentions and Corrections" use;
- c. Change "Community Facility – Government Administration and Courts" use to "Government Administration and Courts" use;
- d. Change "Community Facility – Recreation" use to "Recreation" use;
- e. Change "Community Facility – Park" use to "Park" use;
- f. Change "Community Facility – Public Health Safety" use to "Public Health Safety" use;
- g. Delete "Community Facility – Cemetery" use from the list of uses and its Permitted Principal Use in the OS-Open Space District in its entirety

B.13 Under "Recreation":

- a. Add "Commercial Recreation Facilities" to the list of uses as a Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, IM-Industrial-Medium Format Zone, IL-Industrial-Large Format Zone, OT-Old Town District, IC-Interstate Commerce District, and OS-Open Space District;
- b. Add "Amusement Facilities Outdoor" to the list of uses as a Permitted Principal Use in the CL-Commercial-Large Format Zone, IM-Industrial-Medium Format Zone, IL-Industrial-Large Format Zone, OS-Open Space District, and AG-Agricultural District
- c. Add "Camping" to the list of uses as a Special Exception use in the OS-Open Space District

B.14 Under "Residential"

- a. Change "Dwelling – Attached Single Family" use to "Dwelling, Attached Single-Family" use;
- b. Change "Dwelling- Detached Single Family" use to "Dwelling, Detached Single Family" use;
- c. Change "Dwelling – Mobile Home" use to Dwelling, Mobile Home" use;
- d. Change "Dwelling – Multi-Unit Building" use to "Dwelling, Multi-Unit Building" use;
- e. Change "Dwelling – Multi-Unit Building Complex" use to "Dwelling, Multi-Unit Building Complex" use;
- f. Change "Dwelling – Two-family" use to "Dwelling, Two-family" use;
- g. Change "Live/Work Unit" use to "Dwelling, Live/work Unit" use

B.15 Under "Residential Care":

- a. Change "Dwelling – Assisted" use to "Dwelling, Assisted Living Facility" use to match the Glossary;
- b. Change "Dwelling – Group" use from a Special Exception Use to a Permitted Principal Use in the RM-Residential-Medium Lot Zone, and delete it as a

Permitted Principal Use in the IM-Industrial Medium Format Zone, IL-Industrial-Large Format Zone, and OS-Open Space District;

B.16 Under "Retail":

- a. Add "Neighborhood Grocery/Market < 5,000 GFA" as a Permitted Principal Use in the RM-Residential-Medium Lot Zone;
- b. Delete "Beverage Sales – Liquor Store" as a Permitted Principal Use in the IC-Interstate Commerce District;
- c. Add "Bakery, Retail" to the list of uses as a Permitted Accessory Use in the RMC- Residential – Multi-Unit Complex Zone and a Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, OTR-Old Town Residential District, IC-Interstate Commerce District, and AC –Airport Commerce District;
- d. Change "Retail – Large Format (>25,000 GFA)" use to "Retail – Large (>25,000 GFA)" use and delete it as a Permitted Principal Use in the OTR-Old Town Residential District;
- e. Change "Retail – Medium Format (10,000-25,000 GFA)" use to "Retail-Medium (10,000-25,000)" use;
- f. Change "Retail – Small Format (0-10,000 GFA)" use to "Retail-Small (0-10,000 GFA)" use and add it as a Permitted Accessory Use in the RMC-Residential-Multi-Unit Complex Zone

B.17 Under "Retail Services":

- a. Delete "Tattoo Services" use from the list of uses and its Permitted Principal Use in CS-Commercial-Small Format Zone, CM-Commercial Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, and IC-Interstate Commerce District in its entirety;
- b. Delete "Personal Care and Beauty Services" use from the list of uses and its Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, IC-Interstate Commerce District, and as a Permitted Accessory Use in the IL-Industrial-Large Format Zone in its entirety;
- c. Add "Beauty Care" to the list of uses as a Permitted Accessory Use in the RMC-Residential-Multi-Unit Complex Zone, and as a Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial- Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, OTR-Old Town Residential District, and IC-Interstate Commerce District
- d. Delete "Clothing Services – Dry Cleaning" use from the list of uses and its Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial- Medium Format Zone, CL-Commercial-Large Format Zone, OT-Old Town District, and IC-Interstate Commerce District;
- e. Add "Personal Services" to the list of uses as a Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial-Medium Format Zone, CL-Commercial-Large Format Zone, IL-Industrial-Large Format Zone, OT – Old Town District, and IC – Interstate Commerce District;
- f. Add "Laundromat" to the list of uses as a Permitted Principal Use in the CS-Commercial-Small Format Zone, CM-Commercial- Medium Format Zone, and IC-Interstate Commerce District

- B.18 Under “Mixed Use”, change “Mixed Use Development (mix of permitted uses)” use to “Mixed Use Development (mix of residential and commercial)” use and add it as a Permitted Principal Use in the AC-Airport Commerce District
- B.19 Amend the Master List of Uses by Zone and District table to incorporate the foregoing amendments, to read as follows:

Sec. 10-02-11. Master List of Uses by Zone and District

The uses found in the table below are applicable by zones and districts; the zones and districts are abbreviated, and the abbreviations are as follows:

Residential Zones

RL = Residential – Large Lot
RM = Residential – Medium Lot
RA = Residential – Attached Single-Family
RMC = Residential – Multi-Unit Complex
RMH = Residential – Mobile Homes

Commercial Zones

CS = Commercial – Small Format
CM = Commercial – Medium Format
CL = Commercial – Large Format

Industrial Zones

IM = Industrial – Medium Format
IL = Industrial – Large Format

Districts

OT = Old Town District
OTR = Old Town Residential
IC = Interstate Commerce District
AC = Airport Commerce District
OS = Open Space District
AG = Agricultural District

USES (PP = Permitted Principal) (SE = Special Exception) (PA = Permitted Accessory)	RL	RM	RA	RMC	RMH	CS	CM	CL	IM	IL	OT	OTR	IC	AC	OS	AG
Agriculture																
Plant Cultivation	PA														PA	PP
Outdoor Processing																PA
Elevator/Feedmill, Fertilizer/Other Services																PA
Confined Feeding Operation																PA
Animal Cultivation	SE														PA	PP
Animal Care Services																
Boarding/Kennel									PP	PP						PA
Animal grooming (without kennel)						PP	PP	PP			PP		PP			PA
Veterinary Clinic						PP	PP	PP			PP		PP			PA
Arts and Entertainment																
Museum						PP	PP	PP			PP				PP	
Motion Picture or Live Theater						PP	PP	PP	PP	PP	PP	PP	PP		PP	PP
Arts Center/Studio/Gallery						PP	PP	PP			PP		PP	PP	PP	
Automotive Retail																
Truck Stop/Travel Plaza										PP						
Vehicular, Gasoline Sales							PP	PP	SE				SE			
Vehicular, Impound										PP						
Vehicular Sales, Automobiles								PP					SE			
Vehicular Sales, Motorcycles								PP	PP				SE			
Vehicular Sales, Recreational Vehicles and Boats							SE		PP				SE			
Automotive Services																
Vehicular Care Services, Major							SE	PA	PP	PP			SE			
Vehicular Care Services, Minor							PP	PA	PP	PP			SE			

USES (PP = Permitted Principal) (SE = Special Exception) (PA = Permitted Accessory)	RL	RM	RA	RMC	RMH	CS	CM	CL	IM	IL	OT	OTR	IC	AC	OS	AG
Personal Care Services																
Adult Day Care						PP	PP	PP	PA		PP					
Cemetery															PP	
Child Day Care - Center						PP	PP	PP	PA	PA	PP		PP			
Child Day Care - In Home	PA	PA	PA	PA		PA					PA	PA				
Crematorium (stand- alone)						PA	PA	PA	PP	PP					PA	
Funeral Home						PP	PP	PP	PP	PP	PP				PP	
Congregation																
Event Center							PP	PP	PP	PP	PP	PP	PP	PP	PP	PP
Social/Civic Club						PP	PP	PP	PP				PP		PP	
Religious Assembly	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP
Eating and Drinking																
Bar Establishment						PP	PP	PP			PP		PP			
Drive Thru							PP	PP					PP			
Eating/Drinking Establishment						PP	PP	PP			PP		PP	PP		
Medical/Health																
Health and Wellness - Fitness Facility/Gym				PA		PP	PP	PP	PP		PP		PP	PP		
Health and Wellness - Massage or Therapy					PP	PP	PP	PP			PP		PP	PP		
Hospital							PP	PP	PP	PP			PP	PP		
Medical Office						PP	PP	PP			PP		PP	PP		
Studio - Gymnastics/dance/fitness					PP	PP	PP	PP	PP		PP		PP	PP		
Industrial																
Data Center										SE						
Equipment Repair - Heavy									PP	PP						
Equipment Repair - Light									PP	PP				PP		PA
Beverage Production/Distribution									PP	PP						
Food Service – Processing/Production									PP	PP						
Manufacturing - Artisan						PP	PP	PP	PP	PP	PP		PP	PP		
Manufacturing - Heavy									PP	PP						
Manufacturing - Light									PP	PP						
Outdoor Processing - Composting										PP				PP		
Outdoor Processing - Concrete and Asphalt										PP				PP		
Power Generation Facility										PP						
Storage - Outdoor										SE						
Storage - Contractor									PP	PP						
Storage - Commercial Gases									PP	PP						
Warehouse - Large										PP						
Warehouse - Small (under 150,000 square feet)									PP	PP				PP		
Education																
School - Post-Secondary	SE	SE	SE	SE	SE	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP
School - Primary	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP
School - Secondary	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP
Lodging																
Lodging - Bed and Breakfast						PP	PP	PP			PP	PP			PP	SE
Lodging - Extended Stay								PP								
Lodging - Hotel							PP	PP			PP		PP			
Lodging – Motel								PP					PP			
Office																

USES (PP = Permitted Principal) (SE = Special Exception) (PA = Permitted Accessory)	RL	RM	RA	RMC	RMH	CS	CM	CL	IM	IL	OT	OTR	IC	AC	OS	AG
Office - Corporate							PP	PP	PA	PA	PP		PP	PP		PA
Office - Call Center								PP	PA	PA	PP		PP	PP		PA
Office - Professional Services						PP	PP	PP			PP		PP	PP		
Institutional																
Library	PP	PP	PP	PP	PP	PP	PP	PP			PP	PP	PP		PP	
Detention and Corrections										PP					PP	
Government Administration and Courts	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP		PP	PP
Recreation	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP		PP	PP
Park	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP		PP	PP
Public Health Safety	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP	PP		PP	PP
Recreation																
Golf Course	SE	SE	SE	SE											PP	PP
Shooting Range - Indoor Only							PP	PP		PP					PA	PA
Commercial Recreation Facilities						PP	PP	PP	PP	PP	PP		PP		PP	
Amusement Facilities Outdoor								PP	PP	PP					PP	PP
Camping															SE	
Residential																
Dwelling, Attached Single-Family			PP	PP	PP	SE	SE	SE			PP	PP	PP			
Dwelling, Detached Single Family	PP	PP	PP		PP							PP				PA
Dwelling, Mobile Home					PP											PA
Dwelling, Multi-Unit Building			PP	PP			PP	PP			PP	PP	PP			
Dwelling, Multi-Unit Building Complex				PP			PP	PP					PP	PP		
Dwelling, Two-family			PP	PP	PP							PP				
Dwelling, Live/Work Unit											PP	PP				
Residential Care																
Dwelling, Assisted Living Facility				PP	PP		PP	PP			PP	SE	PP	PP		
Dwelling - Group	PP	PP	PP	PP	PP		PP	PP				PP	PP			PP
Dwelling - Nursing				PP	PP		PP	PP					PP	PP		
Dwelling - Developmental Disability		PP	PP	PP	PP		PP	PP	PP	PP	PP	PP	PP		PP	PP
Retail																
Gallery - Art						PP	PP	PP			PP		PP	PP		
Neighborhood Grocery/Market < 5,000 GFA	PP	PP	PP	PP	PP	PP	PP	PP			PP	PP	PP	PP		PP
Roadside Produce Stand	PA					PA							PA			PA
Beverage Sales - Liquor Store						PP	PP	PP								
Garden Center - Indoor and Outdoor						PP	PP	PA					PP			PA
Bakery, Retail				PA		PP	PP	PP			PP	PP	PP	PP		
Retail - Large (>25,000 GFA)								PP					PP	PP		
Retail - Medium (10,000-25,000 GFA)							PP	PP				PP	PP	PP		
Retail - Small (0-10,000 GFA)				PA		PP	PP			PA	PP	PP	PP	PP		
Retail Services																
Storage - Self-Store Indoor								PP		PP			PP	PP		
Storage - Vehicular and Boat								PA		PP						

USES (PP = Permitted Principal) (SE = Special Exception) (PA = Permitted Accessory)	RL	RM	RA	RMC	RMH	CS	CM	CL	IM	IL	OT	OTR	IC	AC	OS	AG
Beauty Care				PA		PP	PP	PP			PP	PP	PP			
Personal Services						PP	PP	PP		PP	PP		PP			
Laundromat						PP	PP						PP			
Mixed Use																
Mixed-Use Development (mix of residential and commercial)				PP		SE	PP	PP			PP	PP	PP	PP		
Wholesale																
Auction Facility									SE	PP						PA

C. In Division II., Districts and Zones, Sec. 10-02-12., Standards for Special Exceptions:

C.1 Add “Data Center” standards for that respective use after “Camping”, in the standards table, to read as follows:

Special Exception Use	Additional Use Standard if permitted as a Special Exception
Data Center	- Noise levels from the data center must not exceed 55 decibels (dB) at the property line during daytime hours (7 AM to 10PM) and 50dB during nighttime hours (10 PM to 7 AM) - Required eight (8) foot berm with landscaping to block visual from right-of-way and surrounding uses - Low Impact Development (LID) feature of water recycling must be incorporated in design - Shall not be located within 1000’ of residential property

C.2 Revise the “Dwelling-Assisted” use title in the standards table to “Dwelling, Assisted Living”

C.3 Delete the “Dwelling - Group” use and standards from the standards table in its entirety

C.4 Revise the “Mixed Use Development (mix of permitted uses)” use title in the standards table to “Mixed Use Development (mix of residential and commercial)”

D. In Division III., Generally Applicable Regulations, Sec. 10-03-08., Signage:

D.1 Add a new subsection. 4., to Subsection A., Purpose and Intent, to read:

“4. Old Town Business District shall follow the “Business Façade Signage Guidelines”, dated August 3, 2016, and any amendments thereof

D.2 Revise Subsection C., Prohibited Signs, 5. Snipe/Public Areas, to correct the words “subsection N” to “subsection D”, and 18. Vehicle signs, d., to correct the words “one hundred-fifty(150)” to “one hundred fifty (150)”

D.3 Revise Subsection D., Signs Authorized Without a Permit”, 6. Parking signs, to insert the word “feet” after the parenthetical 7, and add “13. One (1) portable Sidewalk/A-Frame Sign with the following requirements:

Remainder of the this page intentionally left blank

Illumination. Illumination of any portable sidewalk/A-frame board sign (hereafter "sign or "signs") is prohibited.
Permitted Duration. All portable signs must be taken in during inclement weather, and signs shall not be displayed on any premises before 6:00 AM and shall be removed each day at or before 11:00 PM. However, all portable signs must be taken in during hours of non-operation of the property in which they are placed.
Area. Each sign shall have a maximum area of seven (7) sq. ft. per sign face.
Height. Signs shall have a maximum height of three and one-half (3.5) feet.
Sign Placement. If a sign is located on a public or private sidewalk, a minimum of 36 inches of unobstructed sidewalk clearance must be maintained between the sign and any building or other obstruction. The sign must be located on the premises and within 12 feet of the primary public entrance but may not cause a hazard to pedestrians or drivers. For the purposes of this subsection, a public entrance includes a vehicular entrance into a parking garage or parking lot. Portable signs shall be weighted, temporarily secured, or strategically placed so as to avoid being carried away by high winds.
Manual Changeable Copy. Manual changeable copy signs are permitted when integrated into a sidewalk/A-frame board sign.

- D.4 Revise Subsection E., General Regulations Pertaining to Temporary Signs, 2., to insert the words "Owners Associations" after the word "Industrial," delete the word "District" following the words "Multi-Family" and insert the word "use" in its place
- D.5 Add a new subsection, g., to Subsection E. General Regulations Pertaining to Temporary Signs, 2., to read:
- "g. Property owner consent is required."
- D.6 Add a new subsection, 3., to Subsection E., General Regulations Pertaining to Temporary Signs, to read:
- "3. Construction Sign.
- a. One construction sign is permitted per construction site and a construction sign permit must be issued prior to erecting the sign.
- b. The sign face must be no larger than thirty-two (32) square feet and no taller than seven (7) feet in height.
- c. The sign must be constructed with durable materials and well maintained.
- d. The sign must be placed on private property with written property owner consent.
- e. The sign may not obstruct visibility to motorists, cyclists, or pedestrians in any way.
- f. The sign may remain on site until construction is complete.
- D.7 Delete the words "Code Enforcement Official" from Subsection J., Appeals, and insert the words "Planning Director/designee" in their place
- D.8 Delete e., Sign materials and construction, from Subsection K., General Regulations, 1. Sign Locations, in its entirety
- D.9 Add a new section, 10., Signs Materials & Construction, to Subsection K., General Regulations, to read:
- "10. Sign Materials & Construction:
- a. Every sign shall be constructed of durable materials, using noncorrosive fastenings; shall be structurally safe; and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible."

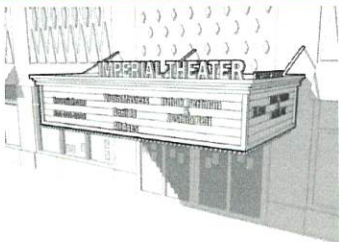
- D.10 Delete the words “Canopy or” from Subsection L, Menu of On-Premises Signs Allowed by Permit, 1. b.
- D.11 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On Premises Sign Menu: Building Signs, Table, “CANOPY OR MARQUEE SIGN”, to delete canopy and awning signs from the table, to read:

MARQUEE SIGN: One per storefront	
ZONES/DISTRICTS PERMITTED: OT, CS, CM, CL, IM, IL, IC	One Marquee sign is permitted per building for the following uses: Movie Theaters, Arts Centers, Community Facilities, Events Centers, and Museums

Such signs shall be located only above the principal public entrance of a building facing a public street or parking lot and may be illuminated in accordance with the illumination standards above.

Standards:

- Such signs shall be located only above the principal public entrance of a building facing a public street, sidewalk, or parking lot.
- No marquee shall be wider than the entrance it serves, plus two (2) feet on each side thereof.
- No marquee shall extend closer to the street curb than three (3) feet.
- Marquee signs may have changeable copy.



Marquee Sign

Dimensions:

- Marquee Sign: The total area of signs on a single marquee structure shall not exceed 200 square feet in area.
- No portion of a marquee sign shall extend vertically above the eaveline.
- The lowest edge of the marquee sign shall be at least eight (8) feet above the finished grade.
- A logo or emblem is permitted on the top or angled portion of the marquee up to a maximum of three (3) square feet.

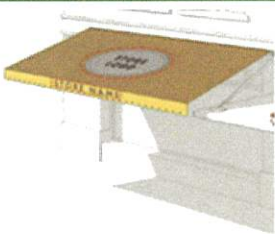
- D.12 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, S. On-Premises Sign Menu: Building Signs, Table, “AWNING SIGN”, by adding the AC-Airport Commerce District as a Permitted District, and deleting the regulation regarding the limit on projection from the building in its entirety, to read:

AWNING SIGN: One per building	
ZONES/DISTRICTS PERMITTED: OT, CS, CM, CL, IM, IL, IC, AC	

A sign that is mounted, painted, or otherwise applied on or attached to an awning or other fabric, plastic, or structural protective cover over a door, entrance, or window of a building.

Standards:

- An awning without lettering or other advertising shall not be regulated as a sign.
- Awning signs must be centered within or over architectural elements such as windows or doors.
- No awning sign shall be wider than the building wall or tenant space it identifies.



Awning Sign

Dimensions:

- The lowest edge of the awning sign shall be at least eight (8) feet above the finished grade.
- A logo or emblem is permitted on the top or angled portion of the awning up to a maximum of three square (3) feet.

- D.13 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Sign Menu: Building Signs, Table, “PROJECTING/BLADE SIGN”, to add the IM-Industrial-Medium Format Zone, IL-Industrial-Large Format Zone, and AC-Airport Commerce District as Permitted Zones and District for projecting/blade signs; to insert letters as section identifiers for the specific Standards; and to delete the regulation regarding the height projection restriction on a single tenant building in its entirety, to read:

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PROJECTING / BLADE SIGN: One per storefront ZONES/DISTRICTS PERMITTED: OT, CS, CM, CL, IC, IM, IL, AC
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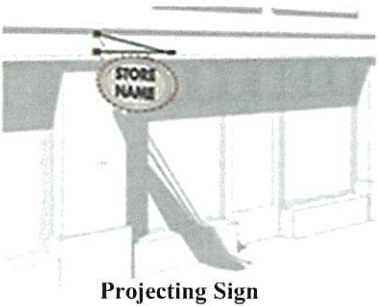
A sign that is wholly or partly dependent upon a building for support or suspended from a pole attached to a building. Such signs must be perpendicular to the building face upon which they are attached.

Standards:

- A. Base materials (where affixed to building): Wood or Metal.
- B. External or internal illumination is permitted.
- C. The outermost portion of a projecting sign shall project no closer than five (5) feet from a curbline or shoulder of a public street, with exception of projecting signs in the Old Town Commercial District which are exempt from this requirement.

Dimensions:

Maximum sign width: 48 inches.
 Maximum sign depth: 12 inches.
 No portion of a projecting signs shall project more than four (4) feet from the face of the building.
 The lowest edge of a projecting sign shall be at least eight (8) feet above the finished grade.
 Where there are multiple tenants in a multi-story building, the sign may be affixed to the second story, with each tenant permitted a sign no taller than 18 inches.



Projecting Sign



Blade Sign

- D.14 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “WALL SIGN”, to delete placement limitation and definition language; to insert letters as section identifiers for the specific Standards; to relocate the mounting standards in the table; and to delete the regulation allowing an enclosed mall shopping center wall sign to exceed 15 feet at grade, to read:

WALL SIGN: ZONES/DISTRICTS PERMITTED: OT, CS, CM, CL, IM, IL, IC

Any sign attached to, mounted, engraved, or erected against the outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the building facade. Shall not be above an eave/roof line.

Standards:

- A. External or internal illumination is permitted.
- B. The sign shall be mounted a raceway, painted directly on wall; supports and wiring components concealed from public view; flush with wall not protruding more than 12 inches form wall.

Dimensions:

The maximum sign face shall be 1.5 sq. ft. per lineal foot of building frontage to a maximum of 200 sq. ft.
 The face area may be increased by seventy-five (75) percent if the sign is for two (2) businesses and may be increased by 100% if the sign is for more than three businesses.
 A freestanding building situated on a corner lot (with two street frontages) may have front wall signage on both walls with street frontage. The other building walls should be considered one side and one rear wall.



Wall Sign

Multi-tenant office buildings within the CM, CL, IM, IL zones shall be permitted one wall sign not to exceed 100 sq. ft. of face area per tenant, not to exceed a total square footage of 400 sq. ft. per building façade.
 Wall signs shall be permitted on each wall facing an enclosed mall shopping center's parking lot. Maximum sign area on each of such walls shall be two (2) square feet for each lineal foot of building frontage on such parking lot; however, in no instance shall any individual sign exceed four hundred (400) square feet.
 Strip commercial centers and commercial subdivisions shall meet the following: Signage on a building wall with street frontage shall be permitted four (4) square feet for each lineal foot of building frontage up to a maximum of two-hundred (200) square feet;
 Side Wall. Signage on a side wall of a building shall be permitted two (2) square feet for each lineal foot of building depth up to a maximum AC of one-hundred (100) square feet;
 Rear Wall. Signage on a rear wall of a building shall be permitted one (1) square foot for each lineal foot of the rear wall up to a maximum of fifty (50) square feet.

- D.15 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “WINDOW SIGN”, to insert letters as section identifiers for the specific Dimensions; to change the word “storefront” to “business” in the “Dimensions”; and to delete regulations regarding Freestanding Signs, to read:

WINDOW SIGN: One per storefront
ZONES/DISTRICTS PERMITTED:
OT, CS, CM, CL, IC

Any signs, posters, symbols and other types of identification directly attached to the window of a building or erected on the inside of the building and visible from any public right-of-way or adjacent property.

Dimensions:

- A. In the OT and CS, 30% of the total window area of any single business may be covered by a sign.
- B. In the CM, CL and IC, a maximum of 40% of the total window area of any single business may be covered by a sign.



Window Sign

- D.16 Delete Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: Building Signs, Table, “DIRECTIONAL SIGN”, in its entirety.
- D.17 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “HANGING SIGN”, to change the numbered section identifiers for the specific Standards to letters, to read as follows:

HANGING SIGN: One per street front
ZONES/DISTRICTS PERMITTED:
OT, CS, CM, IC

Any sign supported wholly or in part by a structure other than the building or buildings housing the business to which the sign pertains and that is not a pole sign.

Standards:

- A. Sign face materials: wood or metal.
- B. Sign base materials: wood or metal.
- C. External illumination is permitted

Dimensions:

Maximum sign face area: 16 sq. ft.

Maximum sign height: 8 feet.

No two free-standing signs may be closer in distance than 20 feet.



Hanging Sign

- D.18 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “DUAL PIER GROUND SIGN”, to add the “OT-Old Town District” to the list of zones and districts that dual pier ground signs are allowed.
- D.19 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: Building Signs, Table, “MONUMENT SIGN: Residential neighborhood identification only-one per street front”, to add a comma and the words “two per neighborhood subdivision entrance” after the word “front” in the Table heading; to delete the words “carved and painted” from “Standard A.” and insert the word “concrete” between the words “wood” and stone” in the standard; to insert the words “stamped concrete” and a comma before the word “stone” in “Standard B.”; and to insert a comma and the word “brick” after the word “stone in “Standard B.”, to read as follows:

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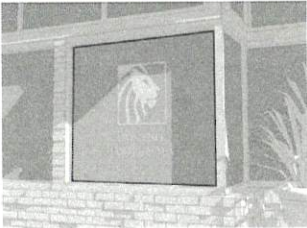
- D.15 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “WINDOW SIGN”, to insert letters as section identifiers for the specific Dimensions; to change the word “storefront” to “business” in the “Dimensions”; and to delete regulations regarding Freestanding Signs, to read:

WINDOW SIGN: One per storefront
ZONES/DISTRICTS PERMITTED:
OT, CS, CM, CL, IC

Any signs, posters, symbols and other types of identification directly attached to the window of a building or erected on the inside of the building and visible from any public right-of-way or adjacent property.

Dimensions:

- A. In the OT and CS, 30% of the total window area of any single business may be covered by a sign.
- B. In the CM, CL and IC, a maximum of 40% of the total window area of any single business may be covered by a sign.



Window Sign

- D.16 Delete Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: Building Signs, Table, “DIRECTIONAL SIGN”, in its entirety.
- D.17 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “HANGING SIGN”, to change the numbered section identifiers for the specific Standards to letters, to read as follows:

HANGING SIGN: One per street front
ZONES/DISTRICTS PERMITTED:
OT, CS, CM, IC

Any sign supported wholly or in part by a structure other than the building or buildings housing the business to which the sign pertains and that is not a pole sign.

Standards:

- A. Sign face materials: wood or metal.
- B. Sign base materials: wood or metal.
- C. External illumination is permitted

Dimensions:

Maximum sign face area: 16 sq. ft.

Maximum sign height: 8 feet.

No two free-standing signs may be closer in distance than 20 feet.



Hanging Sign

- D.18 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2. On-Premises Signs Menu: Building Signs, Table, “DUAL PIER GROUND SIGN”, to add the “OT-Old Town District” to the list of zones and districts that dual pier ground signs are allowed.
- D.19 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: Building Signs, Table, “MONUMENT SIGN: Residential neighborhood identification only-one per street front”, to add a comma and the words “two per neighborhood subdivision entrance” after the word “front” in the Table heading; to delete the words “carved and painted” from “Standard A.” and insert the word “concrete” between the words “wood” and stone” in the standard; to insert the words “stamped concrete” and a comma before the word “stone” in “Standard B.”; and to insert a comma and the word “brick” after the word “stone in “Standard B.”, to read as follows:

Remainder of the this page intentionally left blank

MONUMENT SIGN: Residential neighborhood identification only – one per street front, two per neighborhood subdivision entrance

ZONES/DISTRICTS PERMITTED:

AC, OTR, OS, OT, RL, RM, RA, RMC, RMH, CM, CL, IC

A freestanding sign erected directly on the ground and structurally independent from any building or structure, made of stone or masonry. This sign is permitted only to identify residential subdivisions or neighborhoods from a major thoroughfare and may not exist on an individual residential lot.

Standards:

- A. Sign face materials: wood, concrete, stone or brick.
- B. Sign face surround materials: stamped concrete, stone, brick or masonry.
- C. External illumination is permitted.
- D. Changeable copy not permitted.

Dimensions:

The face of any such sign shall not exceed thirty-two (32) square feet in area. Excepting, however, for each additional foot (beyond 10) that the setback distance is increased, the face area of the sign may be increased by one square foot; up to a maximum allowable size of one hundred (100) square feet.

The height of any ground sign shall be such that no part of the sign structure shall exceed a maximum height of eight (8) feet from grade level

- D.20 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: Building Signs, Table, “MONUMENT SIGN: one per street front”, to change the words “brick or stone” to the words “stone, brick or masonry” in “Standard A.”; and to delete the maximum base height and minimum sign face surround regulations from the “Dimensions”, to read as follows:

MONUMENT SIGN: one per street front

ZONES/DISTRICTS PERMITTED:

AC, CS, CM, CL, IM, IL, IC, OS, OT

The sign is ground mounted and has a base and a structure surrounding the sign face, which includes copy that cannot be changed without replacing the sign face.

Standards:

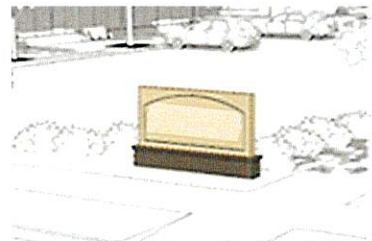
- A. Sign face surround materials: stone, brick or masonry.
- B. Sign base materials: brick or stone.
- C. External or internal illumination is permitted.

Dimensions:

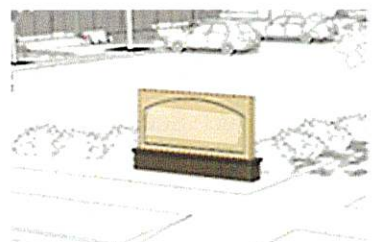
Maximum sign face area: 48 sq. ft.

The topmost portion of the sign shall not exceed beyond six (6) feet at grade.

No two monument signs may be closer in distance than 20 feet.



Monument Sign – Residential Neighborhood Identification



Monument Sign

- D.21 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: Building Signs, Table, “MONUMENT SIGN, CHANGEABLE COPY”, to add the “CS-Commercial-Small Format Zone” and “IM-Industrial-Medium Format Zone” to the list of zones and districts changeable copy monument signs are allowed; to delete the letter “A” identifier in the “Standards” regarding face surround materials and re-letter the following Standards accordingly; to delete the minimum base height and minimum sign face surround width regulations from the “Dimensions”; to change “40%” to “50%” in “Dimensions” sign face area; and to delete the sign area limitation from the “Dimensions” regulations, to read as follows:

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MONUMENT SIGN, CHANGEABLE COPY: one per street front	
ZONES/DISTRICTS PERMITTED: AC, CM, CL, IL, IC, OS, OT, CS, IM	Additionally, permitted for schools, community facilities, and religious assembly

A ground sign with little or no open space between the ground and the sign and having a base and a structure surrounding the sign face, which includes copy that can be electronically or manually changed from time to time.

- Standards:**
- Sign face surround materials: brick or stone.
 - A. External illumination is permitted.
 - B. See additional standards for changeable copy signs.

- Dimensions:**
- Maximum sign face area: 24 sq. ft.
 - The topmost portion of the sign shall not exceed beyond six (6) feet at grade.
 - Changeable copy shall not comprise more than 50% of the total sign face area.



Monument Sign –
Changeable Copy

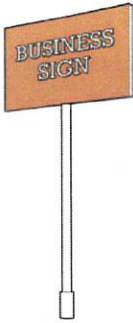
D.22 Revise Subsection L, Menu of On-Premises Signs Allowed by Permit, 2., On-Premises Signs Menu: POLE SIGN”, to delete the restriction of pole signs by overlay district and to delete the minimum sign face surround width from the “Dimensions” regulations, to read as follows:

POLE SIGN: one per business parcel	
ZONES/DISTRICTS PERMITTED: CL,CM, IC	

A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure. They may be two-sided.

- Standards:**
- A. Internal and external illumination, as well as EVMS are permitted and must adhere to the illumination standards of this section.
 - B. Changeable copy is permitted.
 - C. Enclosed Mall Shopping Centers may have one (1) pole sign along each street or highway right-of-way abutting such enclosed mall shopping center. Such sign shall have a maximum surface area not exceeding three hundred (300) square feet. Such sign shall not exceed thirty-five (35) feet in height.
 - D. Where an enclosed mall shopping center has in excess of six hundred (600) feet of street frontage along any given street or highway right-of way, one (1) additional free standing pole sign may be permitted provided that the distance between such signs along such street or highway right-of-way shall be not less than five hundred (500) feet.

- Dimensions:**
- Such signs shall have a minimum height of nine (9) feet from grade level to the bottom of the sign and a maximum height of thirty-five (35) feet from grade level to the top of the sign.
 - Maximum sign face area: 100 sq. ft.



Pole Sign

E. In Division III., Generally Applicable Regulations, Sec. 10-03-09., Fences and Screens:

- E.1 Add an additional section to Subsection A., General, as section 4., to read:

“4. Privacy fence gates must not swing outward across pedestrian or cycling infrastructure.”;
- E.2 Add an additional section to Subsection B., Materials, as section 5., to read:

“5. No person shall maintain or construct any fence composed in whole or in part of barbed wire or similar material designed to cause injury to persons, or any wire charged with electric current, within three (3) feet of any street, sidewalk, alley, or other public way or place.”;
- E.3 Renumber former 5., Subsection B., Materials, as “6.”, and revise the words “Chain-link” at the beginning of the sentence to the words “Non-coated chain- link”;
- E.4 Insert the words “for residential buildings” after the word “height” at the end of Subsection C., Height, 2.

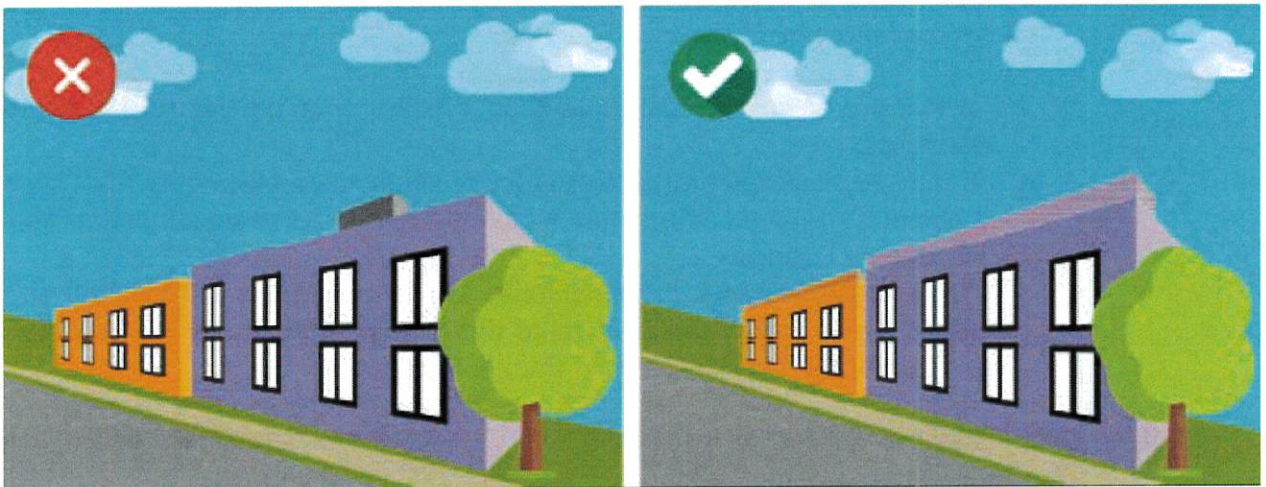
- E.5 Insert the following sentence at the end of Subsection C., Height., 3.: “Furthermore, fences for schools, parks, and recreation complexes may exceed six (6) feet in height to accommodate specific safety and operational needs as determined by the Planning Director.”
- E.6 Revise the title of Subsection D. from “Opacity” to “Transparency”, delete the word “exceed” from section D.1 and insert the words “have less than” in its place, and revise the word “opacity” at the end of D.1 to the word “transparency”.
- E.7 Delete the words “coniferous or approved deciduous” from Subsection F. 1. a. and insert the word “evergreen” in their place.
- E.8 Delete the language of Subsection G., Screening, Subsection 1., in its entirety and replace it with the following language:

“1. Ground and building-mounted. Mechanical equipment or other utility hardware on ground or building shall be screened from public view with a 100% opaque screen and located as not to be visible from any public ways. Enough room shall be between the equipment and the screening for access to the mechanical equipment for maintenance. The following requirements are for various types of screening:

- a. Architectural Screening: Screening made from architectural elements shall be constructed from harmonious material(s) and/or colors consistent with the design of the building.
- b. Landscaping: Screening made from plants must create a 100% opaque screen during all months of the year. When planted, landscaping should cover 50% of the mechanical equipment and must reach to 100% opacity when fully grown.

- E.9 Add an additional subsection, Subsection G., Screening, 2., to read as follows with photographic depiction:

“2. Roof-mounted Mechanical equipment or other utility hardware on roofs shall be 100% screened from public view using a parapet wall, fence, or similar screening method that is consistent with the building’s design and materials.



- E.10 Renumber the former Subsection G., Screening, 2., to “3”, and insert the words “and residential AC units in side and rear yards” after the word “meters” in the subsection.
- F. In Division III., Generally Applicable Regulations, Sec. 10-03-13., Accessory Uses and Structures:
 - F.1 Delete subsection 1. a., of Section A. Accessory Dwelling Unit (ADU), regarding minimum lot size in its entirety, and re-letter the following subsections accordingly.
 - F.2 Insert the word “dwelling” after the word “accessory” in former subsection A.1.,b, that is now subsection A.1. a.

- F.3 Delete the words “is 800 square feet of floor area” from former subsection A.1.e., that is now subsection A.1.d., and insert the words “shall be limited to 30% of the primary home’s total floor area or 800 square feet, whichever is greater” in their place
- F.4 Insert the word “dwelling” after the word “accessory” in former subsection A.1.,g, that is now subsection A.1. f.
- F.5 Delete the language of Subsection B. Private Swimming Pool, 1., in its entirety and replace it with language to read: “Shall conform to the current Indiana Building Code”.
- F.6 Delete the language of Subsection B. Private Swimming Pool, 3., in its entirety.
- F.7 Renumber Subsection B., Private Swimming Pool, 4., to “3”.
- F.8 Insert the following sentence as the second sentence of Subsection C., Accessory Structures, 2.: “Accessory Structures not listed are exempt from the two accessory structure limit”.
- F.9 Insert the words “of any type” after the word “structure” in Subsection C., Accessory Structures, 3.
- F.10 Insert a new subsection C., Accessory Structures, 5., to read:

“5. Greenhouses are exempt from the specified building materials but must still adhere to all other regulations outlined in this section.”
- F.11 Delete the word “under” after the word “structures”, and insert the words “and less” after the word “feet” in former Subsection C., Accessory Structures, 5., now Subsection C., Accessory Structures, 6.
- F.12 Delete the language of former Subsection C. Accessory Structures, 7., now Subsection C., 6., in its entirety, and replace it with language to read:

“6. Accessory structures over 300 square feet shall utilize wood, fiber cement, masonry, steel or the same materials as the primary structure. If steel is utilized one of the following options is required:
- a. A masonry wainscot shall be used on all sides up to a height of no less than 36 inches.
 - b. Shrubs or shade/evergreen trees at the recommended spacing by plant type in a planting strip with a minimum width of five (5) feet along all public right of way facing façades.
 - c. The accessory structure shall be located in an area that is not visible from the public right of way, such as behind the primary structure or within a fenced area, ensuring that it is screened from public view.
- F.13 Delete the last subsection of Subsection C., Accessory Structures, which reads, “Accessory structures must be located in a rear yard”, in its entirety.
- F.14 Revise Subsection D., Temporary Accessory Structures, 1., to change the word “structures” (plural) to “structure” (singular), and change “40 feet” to “forty (40) feet”.
- F.15 Revise Subsection D., Temporary Accessory Structures, 2., to change “20 feet” to “twenty (20) feet”.

G. In Division III., Generally Applicable Regulations, Sec. 10-03-14 Building Design Standards, repeal the design standards in their entirety and replace them with the following standards:

“10-03-14. Building Design Standards

A. Applicability and Purpose

1. The building design standards herein are intended to promote high-quality, aesthetically consistent, but not monotonous, well diversified in style and finishes in design for the promotion of the durability and longevity of buildings and the preservation of property values in the City.
2. The building design standards herein shall apply to all new development.
3. Allowed exterior materials are determined by building elevation. Additional design standards specific to certain building elevations and circumstances may also apply as set forth herein.
4. An applicant shall provide a sample of proposed materials to be reviewed and approved by the Planning Director/Staff for compliance when requested by the Planning Director.
5. These standards are in addition to the development standards applicable in each district and zone. Where there is a conflict between the development standards and these building design standards, the building design standards herein shall govern and control.
6. Materials percentages stated herein are exclusive of window and door openings.

B. Single-Family Residential Building Design Standards

1. All residential building expansion and/or alterations shall substantially conform to the existing materials, style, and finishes. Exterior finish materials must visually match in type, size and placement, the exterior finish materials of the primary dwelling
2. All new detached and attached single-family dwelling structures shall meet the following:

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Feature	Standards
General Design	1. New structures on adjoining properties, excluding the rear yard lines, may not utilize the same front elevation. Variation in elevation due to one, two, or three car garages, and transposing the elevation shall not count toward this non-monotony standard. Where rear yards are visible from a public or private street through a common area the non-monotony standard shall also apply to rear elevations. 2. On individual structures, there shall be no blank exterior façades. 3. A front building elevation may contain an attached garage and visible garage door(s), provided that the portion of the front building elevation of the single-family structure devoted to the attached garage shall not be greater than 60% of the width of the front building elevation (50% for ranch-style homes). 4. The garage façade shall not constitute more than 50% of the overall façade (60% for ranch-style homes). 5. Attached, single-family townhomes shall not have front-loaded garages. 6. Accessory third-car garages are exempt from the width requirement and shall be recessed from the remaining portion of the garage elevation by a minimum of two (2) feet. 7. Garages facing the public right-of-way may not extend more than two (2) feet from the front wall of the main house / porch structure. 8. A front building elevation shall have a prominent front clear path entryway and door visible from the front lot line and at least two windows of no less than eight (8) square feet each in size. 9. Remaining elevations shall have a minimum of one window per floor per side. Windows shall be no less than eight (8) square feet in size. 10. Window units shall not be perfectly flush with exterior walls. 11. If a front porch is provided, the front porch shall be finished to match the style and character of the house. 12. Structures with a zero-foot side yard setback are exempt from side elevation standards for those side elevations facing the zero-foot side setback. 13. Eaves, overhangs, and gable ends shall overhang by no less than six (6) inches. Gutters do not count towards the overhang requirement. 14. Covered porch overhangs shall be no less than eight (6) inches. Gutters do not count towards the overhang requirement. 15. Fiber cement panels are not permitted. 16. A single-family home driveway measurement must have a minimum of 18 feet between the edge of the sidewalk closest to the building and the garage. OT and OTR shall be excluded from this requirement. 17. A sidewalk is required from either the driveway or public sidewalk to the residential structure main entry. 18. Glass block shall not be used on any front elevation. 19. Trim shall complement the building design. Metal trim shall be prohibited.
Exterior Materials	In order to give property owners flexibility for meeting the exterior materials requirements for single-family dwellings, three paths have been developed. One of the following set of "Paths" below, which are comprised of different sets of standards, may be chosen:
Path 1	1. Front Elevation. The front elevation shall be comprised of any one or any combination of the following materials: stone, brick, heavy-gauge vinyl (minimum of 0.046 inch gauge), fiber cement siding, engineered wood siding, or stucco, provided that a minimum of 50% of the front elevation shall be clad in mortared masonry and fiber cement siding shall not count toward this minimum requirement.

Feature	Standards
General Design	1. New structures on adjoining properties, excluding the rear yard lines, may not utilize the same front elevation. Variation in elevation due to one, two, or three car garages, and transposing the elevation shall not count toward this non-monotony standard. Where rear yards are visible from a public or private street through a common area the non-monotony standard shall also apply to rear elevations. 2. On individual structures, there shall be no blank exterior façades. 3. A front building elevation may contain an attached garage and visible garage door(s), provided that the portion of the front building elevation of the single-family structure devoted to the attached garage shall not be greater than 60% of the width of the front building elevation (50% for ranch-style homes). 4. The garage façade shall not constitute more than 50% of the overall façade (60% for ranch-style homes). 5. Attached, single-family townhomes shall not have front-loaded garages. 6. Accessory third-car garages are exempt from the width requirement and shall be recessed from the remaining portion of the garage elevation by a minimum of two (2) feet. 7. Garages facing the public right-of-way may not extend more than two (2) feet from the front wall of the main house / porch structure. 8. A front building elevation shall have a prominent front clear path entryway and door visible from the front lot line and at least two windows of no less than eight (8) square feet each in size. 9. Remaining elevations shall have a minimum of one window per floor per side. Windows shall be no less than eight (8) square feet in size. 10. Window units shall not be perfectly flush with exterior walls. 11. If a front porch is provided, the front porch shall be finished to match the style and character of the house. 12. Structures with a zero-foot side yard setback are exempt from side elevation standards for those side elevations facing the zero-foot side setback. 13. Eaves, overhangs, and gable ends shall overhang by no less than six (6) inches. Gutters do not count towards the overhang requirement. 14. Covered porch overhangs shall be no less than eight (6) inches. Gutters do not count towards the overhang requirement. 15. Fiber cement panels are not permitted. 16. A single-family home driveway measurement must have a minimum of 18 feet between the edge of the sidewalk closest to the building and the garage. OT and OTR shall be excluded from this requirement. 17. A sidewalk is required from either the driveway or public sidewalk to the residential structure main entry. 18. Glass block shall not be used on any front elevation. 19. Shall complement the building design. Metal trim shall be prohibited.
Exterior Materials	In order to give property owners flexibility for meeting the exterior materials requirements for single-family dwellings, three paths have been developed. One of the following set of "Paths" below, which are comprised of different sets of standards, may be chosen:
Path 1	1. Front Elevation. The front elevation shall be comprised of any one or any combination of the following materials: stone, brick, heavy-gauge vinyl (minimum of 0.046 inch gauge), fiber cement siding, engineered wood siding, or stucco, provided that a minimum of 50% of the front elevation shall be clad in mortared masonry and fiber cement siding shall not count toward this minimum requirement.

	2. Side Elevations. Side elevations facing public ways or common areas shall be comprised of a minimum 50% mortared masonry. Where mortared masonry is required on a side elevation, it shall be required on both side elevations and the rear elevation. Permitted siding materials are stone, brick, fiber cement siding, heavy-gauge vinyl (minimum of 0.046 inch gauge), engineered wood siding, or stucco, and any remaining portion may be a durable, synthetic material designed and rated for building exteriors. 3. Rear Elevations. Rear elevations facing public ways or common areas shall be comprised of a minimum 50% mortared masonry. Where mortared masonry is required on a rear elevation, it shall be required on both side elevations. Permitted siding materials are stone, brick, fiber cement siding, heavy gauge vinyl (minimum of 0.046 inch gauge), engineered wood siding, or stucco, and any remaining portion may be a durable, synthetic material designed and rated for building exteriors.
Path 2	1. Mortared masonry shall be used on any street-facing or common area-facing façade up to a height of no less than 36 inches or 20% of the façade. Where mortared masonry is required on one side façade or rear façade, it shall be required on all side and rear façades. 2. Fiber cement and engineered wood siding shall be permitted on the rest of the elevation. However, any elevation may be 100% mortared masonry.
Path 3	1. Brick, masonry, stone, or fiber cement siding, and up to 20% accent metals per elevation may be used in any combination if four of any of the following architectural features are provided. Fiber cement panels are not permitted. (definitions for items below can be found in the glossary): a. Coach garage/detached garage; b. Any of the following styles of roof design: dormer roof, gable roof with dormer window(s), cross-gabled roof, a-frame, gambrel, mansard or pyramid mansard; c. Wrap-around porch (two or more sides); d. Three separate siding/exterior material types; e. Side load garage; f. A portico over the front entrance; g. Horizontal transom windows above all first-floor doors and windows; h. An outdoor balcony space; and i. Front entrance courtyard.

C. Multi-Family Residential Building Design Standards

The following table sets forth required design standards for all new structures containing a multi-family use, all new additions over 20% GFA to structures containing a multi-family use, and alterations to the front elevation of structures containing a multi-family use:

Feature	Standards
Front Elevation	1. Front elevations shall be comprised of any one or any combination of the following materials: stone, brick, fiber cement siding, stucco, wood, engineered wood siding, pre-cast concrete, provided that a minimum of 50% of the front elevation shall be clad in mortared masonry. Fiber cement panels are not permitted. 2. The front elevation shall comply with the minimum transparency requirement of 30 percent. 3. In any event, pre-cast concrete panels shall not exceed an area more than 50% of the front elevation. However, precast panels may be utilized if clad to resemble mortared masonry. 4. All columns, pilasters, and pillars on the front elevation shall be clad in stone, brick, ornamental metal, wood, stucco, or other material allowed by Planning Director. 5. Metal cladding may be permitted on not more than 20% of the front elevation. 6. Metal grills and thru-air units are not permitted on the front elevation. 7. The front façade must articulate two (2) feet for every 50 feet of facade width.
Side Elevations	1. Side elevations shall be comprised of a minimum 50% mortared masonry. All remaining areas shall be clad in one or more of the same materials as those used on the front elevation. 2. The total transparency of each side elevation shall be at least 20%

Rear Elevation	1. Rear elevations shall be comprised of a minimum 50% mortared masonry. All remaining areas shall be clad in one or more of the same materials as those used on the side elevation.
Trim	1. Shall complement the building design.
Eaves/Roof Overhangs	1. Eaves and roof overhangs shall be a minimum of 12 inches from any exterior surface on all elevations. 2. Gutters shall not count toward this requirement.
Window Profiles	1. Window units shall not be perfectly flush with exterior walls. 2. Glass block shall not be used on any front or side elevation.

D. Commercial Building Design Standards

The following table sets forth required design standards for all new structures containing a commercial use, all new additions over 20% GFA to structures containing a commercial use, and alterations to the front elevation of structures containing a commercial use:

Sample Commercial Building:

Feature	Standards
Front Elevation	1. Front elevations shall be comprised of any one or any combination of the following materials: stone, brick, fiber cement siding, stucco, wood, engineered wood siding, pre-cast concrete, aluminum composite panels, or insulated metal panels provided that a minimum of 50% of the front elevation shall be clad in mortared masonry. Fiber cement panels are not permitted. 2. The front elevation shall comply with the minimum transparency requirements of 30 percent. 3. Glass block shall not be used on any front or side elevation. 4. In any event, pre-cast concrete panels shall not exceed an area more than 50% of the front elevation. 5. All columns, pilasters, and pillars on the front elevation shall be clad in stone, brick, ornamental metal, wood, stucco, or material allowed by Planning Director. 6. Metal cladding may be permitted on not more than 20% of the front elevation. 7. Metal grills and thru-air units are not permitted on the front elevation. 8. The front façade must articulate two (2) feet for every 50 feet of façade width. 9. Façades visible from a public or private street through a common area, or park, shall be treated as a front façade.
Side Elevations	1. Side elevations shall be clad in one or more of the same materials as those used on the front elevation.
Rear Elevation	1. Rear elevations shall be clad in one or more of the same materials as those used on the side elevation. Rear elevations may contain docks and overhead doors.
Pre-Cast Concrete	1. Pre-cast concrete exteriors shall not have a plain, smooth surface. 2. The surface of pre-cast concrete walls shall be textured, veneered, stamped, imprinted, or otherwise finished with architectural designs, details, patterns or materials.
Parapet Walls	1. Parapet walls shall be of the same finish materials as the front elevation directly below the parapet wall and both sides of the wall shall be finished. 2. Extensions above the roof line must return a minimum of six (6) feet back on side elevations.
Balconies	1. If balconies are included, balconies shall be incorporated into the façade of the structure and shall contain a metal, powder-coated aluminum, engineered wood, or natural wood railing. If natural wood is used, it shall be stained, painted, or treated to complement the building and resist the elements/decay.
Overhead Doors	1. Right-of-way facing elevations shall not contain any loading docks or overhead doors unless such overhead doors are used in connection with an eating/drinking establishment. 2. A single right-of-way facing overhead door for entering a parking garage, carwash, or an automotive dealership service department entrance is permitted.

E. Industrial Building Design Standards

The following table sets forth required design standards for all new structures containing an industrial use, all new additions over 20% to structures containing an industrial use, and alterations to the front elevation of structures containing an industrial use:

Sample Industrial Building:



Industrial Building Design Standards	
Feature	Standards
Front Elevation	1. Front elevations shall be comprised of any one or any combination of the following materials: stone; brick; fiber cement siding; engineered wood siding; pre-cast concrete; aluminum composite panels; or insulated metal panels provided that a minimum of 15% of the front elevation shall be clad in mortared masonry not including split-faced block. Fiber cement panels are not permitted. 2. The front elevation shall comply with the minimum transparency requirements of 10 percent. 3. Glass block shall not be used on any front or side elevation. 4. The front façade shall articulate horizontally a minimum of two (2) feet per every 150 feet of façade width. Articulation points do not have to be evenly spaced and cannot be combined. 5. Metal cladding may be permitted on not more than 20% of the front elevation. 6. Metal grills and thru-air units are not permitted on the front elevation. 7. Industrial buildings larger than 50,000 square feet must break up the front elevation by providing a pronounced entry that is either protruding or recessed from the front wall face.
Side Elevations	1. Side elevations shall be fully clad in one or more of the materials that comprise the front elevation.
Rear Elevation	1. Rear elevations shall be clad in one or more of the same materials as the side elevations.
Corner Elevations	1. Side elevations facing a street, such as those on a building situated on a corner lot, shall include not less than 30% transparency on the portion of the elevation closest to the street corner.
Pre-Cast Concrete	1. Pre-cast concrete exteriors shall not have a plain, smooth surface. 2. The surface of pre-cast concrete walls shall be textured, veneered, stamped, imprinted, or otherwise finished with architectural designs, details, patterns or materials.

F. The following table outlines the required design standards for all new structures and additions within the Old Town district. For additions and alterations exceeding 20% of the existing structure, the entire building must be brought up to current standards. For additions and alterations of 20% or less, only the specific addition or alteration needs to comply with current standards.

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Feature	Standards
Front Elevation	1. Front elevations shall be comprised of any one or any combination of the following materials: stone, brick, stucco, engineered wood, fiber cement siding, engineered wood siding, glass curtain wall, or wood, provided that a minimum of 75% of the front elevation shall be clad in mortared masonry not including split-faced block (exclusive of window and door openings). Fiber cement panels are not permitted. 2. The front elevation shall comply with the minimum transparency requirements of 60 percent for the ground floor and 40 percent for additional floors. 3. Glass block shall not be used on any front or side elevation. 4. All columns, pilasters, and pillars on the front elevation shall be clad in stone, brick, ornamental metal, wood, stucco, or material allowed by Planning Director. 5. The front entrance shall be defined by one of the following features: arcade, portico, stoop, building recess, awning, or moldings. 6. Blank, windowless walls in excess of 750 square feet are prohibited when facing a public street. In instances where a blank wall exceeds 750 sq. ft., it shall be articulated. 7. All garage and overhead doors on the front elevation shall include some transparency; provided, however, if the overhead door is on the front elevation of any commercial building, it shall be part of the storefront and not used for loading.
Side Elevations	1. Side elevations shall be clad in the materials that comprise the front elevation. 2. Side elevations shall not contain any loading docks or overhead doors unless such overhead doors are used in connection with an eating/drinking establishment. 3. Side elevations for a single-unit detached structure shall be permitted to have overhead doors for residential garage applications.
Rear Elevation	1. Rear elevations shall be clad in the same materials as the side elevations. 2. Rear elevations may contain docks and overhead doors.
Corner Elevations	1. Side elevations facing a street, such as those on a building situated on a corner lot, shall be required to have the same proportion of transparency as the front street elevation.
Parapet Walls	1. Parapet walls shall be of the same finish materials as the front elevation directly below the parapet wall and both sides of the wall shall be finished. 2. Extensions above the roof line must return a minimum of six (6) feet back on side elevations.
Balconies	1. Shall contain a metal, powder-coated aluminum, engineered wood, or natural wood railing. If natural wood is used, it shall be stained, painted, or treated to complement the building and resist the elements/decay.

H. In Division VI., Subdivisions, Sec. 10-06-16 Street and Subdivision Names:

H.1 Insert a new subsection, Subsection G. CBUs placement, to read as follows:

“G. CBUs placement

- a. CBUs shall be:
 - i. Located outside of public right-of-way, within HOA-owned and managed property or on private properties (in easements), placed behind the sidewalk or path.
 - ii. Located a minimum 50’ distance from any intersection stop sign or fire hydrant
 - iii. Sufficiently illuminated
 - iv. Installed before the first Certificate of Occupancy for the project is issued.
 - v. Enhanced utilizing one of the following options:
 1. Placed under a shelter that matches the style and overall character of the development
 2. Surrounded by decorative landscaping
- b. CBUs shall NOT be:
 - i. Located on arterial roadways
 - ii. Located on any part of a horizontal curve

- c. The City of Greenwood will not be responsible for maintenance of any part of the CBU or concrete pad, or clearing of snow or ice from adjacent curb, sidewalks or nearby ADA ramps
- d. CBU Concrete Pads shall be constructed per USPS approved specifications
- e. CBU shall include a delivery pull off

I. In Division VII., Glossary, repeal the Glossary in its entirety and replace it with the following Glossary, to read as follows:

DIVISION VII.

GLOSSARY.

Whenever a defined word appears in the Ordinance, its meaning is as set forth in this Division. Words not defined in this Ordinance are interpreted in accord with their usual dictionary meaning and customary usage.

A.

A-frame Roof. Roof consisting of two slopes that extend nearly to the ground and reach a high peak in the center ridge.

Abandon. To intentionally, permanently, and completely cease all business activity.

Accessory Dwelling Unit (ADU). An attached or detached to an existing single-unit dwelling structure that contains one separate, complete dwelling unit with a separate entrance.

Accessory Structure. A detached subordinate structure, the use of which is incidental to that of the primary structure and located on the same lot therewith, such as, but not limited to Detached Garages, Accessory Dwelling Units, Pool houses, and Sheds/Barns. Fences shall be excluded from this definition.

Accessory Use. Any use subordinate in both purpose and size that is incidental to and customarily associated with any principal use that is located on the same lot.

Adaptive Reuse. The reuse of a site or building for a use other than for which it was originally built, purposed or designed.

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

Adjoining. Sharing an edge or a boundary; touching.

Administrative Review. The non-discretionary evaluation of an application by the Administrator or designee without a public hearing.

Adult Business/Entertainment. 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 their emphasis on matter depicting, describing or relating to sexual activities or sexual anatomical areas.

Adult Day Care. An establishment devoted to providing daytime training, supervision, recreation, and often medical service for adults.

Advisory Plan Commission. See "Commission" or "Plan Commission."

Aggregate Side Setback. The sum of the least two side setbacks of a structure; one on either side.

Agriculture. The use of land for farming, including plowing, tilling, cropping, installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber harvesting operations); the grazing or raising of livestock (except in confined feed operations); dairy farming; aquaculture; sod production; horticulture; orchards; tree farms; and the cultivation of products as part of a recognized commercial enterprise; and related buildings (e.g., barns, stables, sheds, feeding bins).

Livestock. Cattle, sheep, swine, goats, bison, horses, mules, poultry, or other animals, that are commonly associated with activities associated with farming or food production.

Agricultural – Outdoor Processing. The use of land for activities involving a variety of operations on crops or livestock which may generate dust, noise, odors, pollutants, or visual impacts that could adversely affect adjacent properties. Example uses include, but are not limited to: slaughterhouses, mills, refineries, canneries, coffee roasting, food processing, granaries, grain processing, commercial hatcheries, poultry processing plants, fat rendering, manufacturing of commercial fertilizer, starch manufacturing, and milk processing plants or other treatment of agricultural products which changes the naturally grown product for consumer use.

Agricultural Production. The growing and harvesting of crops for the production of food, fiber, fuel and other products. This does not include processing, preparing, or preserving of animals or plants.

Aircraft. A machine or device, such as an airplane, a helicopter, a glider, or a dirigible, that is capable of atmospheric flight.

Airport. Any area of land or use devoted to the take-off, landing and storing and servicing of aircraft, and any appurtenant areas designated, set aside, used, or intended for use for related buildings and facilities located thereon.

Airport Conical Surface Area. The land area designated as "Airport Conical Surface Area", on the Airspace District Zoning Map, beginning at the periphery of the Horizontal Surface Area and thence extending outwardly a distance of 4,000 feet, said Conical Surface Area not including, however, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area.

Airport Horizontal Surface Area. The land area designated as "Airport Horizontal Surface Area", on the Airspace District Zoning Map, the perimeter of which is determined by projecting arcs from the center of the inner line of each Instrument and Non-Instrument Approach Surface Area (the dimension of said arcs for Instrument Approach Surface Areas being 10,000 feet and for Non-Instrument approach connecting adjacent arcs by lines tangent thereto, not including, however, as a part of the Horizontal Surface Area, the Instrument and Non-Instrument Approach Surface Areas and Transitional Surface Area).

Airport Instrument Approach Surface Area. The land area designated as "Airport Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each instrument runway for landings and take offs, said Surface Area having a width of 1,000 feet at a horizontal distance of 200 feet beyond each end of the runway and widening thereafter uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

Airport Non-Instrument Approach Surface Area. The land area designated as "Airport Non-Instrument Approach Surface Area" on the Airspace District Zoning Map, located at each end of each non-instrument runway for non-instrument landings and take offs, said Surface Area having a width of 500 feet at a horizontal distance of 200 feet beyond each end of the runway and widening thereafter uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet beyond each end of the runway, its centerline being the continuation of the runway centerline.

Airport Landing Area. The area of the Airport used for the landing, take-off or taxiing of aircraft.

Airport Transitional Surface Area. The land area designated as "Airport Transitional Surface Area" on the Airspace District Zoning map, located adjacent to each instrument and non-instrument runway, symmetrically on each side of such runway, said Surface Area extending outward as indicated on the Airspace District Zoning map from a line 250 feet on either side of the centerline of a non-instrument runway, for the length of such runway plus 200 feet at each end thereof, to the inner line of the Horizontal Surface Area, and from a line 500 feet on either side of the centerline of an instrument runway plus 200 feet at each end thereof, to the inner line of the Horizontal Surface Area; further symmetrically located adjacent to each Instrument and Non-Instrument Runway Approach Surface Area, on each side thereof, having variable widths, as indicated on the Airspace District Zoning Map, and extending the entire length of said Approach Surface Areas to their intersection with the outer line of the Conical Surface Area; and further located beyond said points of intersection, beginning at the outer lines of all Instrument Approach Surface Areas and extending a horizontal distance of 5,000 feet therefrom, measured at right angles to the continuation of the runway centerline, as indicated on the Airspace District Zoning Map.

Airspace Hazard. Any structure, tree, object or use of land which obstructs the airspace or is otherwise hazardous to the flight of aircraft in landing or taking off at a public airport or heliport, as determined to constitute an "airspace", "airport" or "heliport" hazard either by the Federal Aviation Administration, the Indiana Department of Transportation, Division of Aeronautics or the Greenwood Board of Aviation Commissioners.

Alley. A public right-of-way and thoroughfare, other than a street, road, crosswalk or easement, providing a secondary means of access to the side or rear of those properties which have principal frontage and/or access on a street.

Amenity Area. An outdoor facility, which may include an accessory clubhouse, provided as part of a residential development that is owned and maintained by the owners' association or property owner primarily for the use of the residents of the development. The term includes community swimming pools, tennis courts, basketball courts, and the like.

Amusements, Outdoor. Commercial recreational activities including, but not limited to, miniature golf, bowling bungee jumping, go-kart, or amusement parks. This definition does not include any activities offered by the public sector in a park or playground or any type of auto racetrack or drag strip.

Animal Cultivation. The keeping, breeding, birthing, or raising of animals other than pets.

Animal Grooming. A facility which provides grooming services for animals but does not provide boarding or veterinary services.

Antenna. Any communications equipment that transmits or receives electromagnetic radio signals used in the provision of wireless communications service.

Antenna Height. The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Antique Shop. Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment, either in a standalone retail space or in a group of retail spaces within an enclosed antiques mall. This classification does not include secondhand motor vehicles, parts, or accessories.

Applicant. The owner of land, or agent or legal representative, who seeks an approval, permit, certificate or determination from the Commission or Board, under the provisions of this Ordinance.

Architectural Feature. A prominent or significant part or element of a building, structure, or site.

Architectural Projections. Projections from a building which are necessary for the shading of a building or features such as sills, cornices, and chimneys. Such projections may extend into required yards only as allowed by the provisions of this Ordinance.

Arterial, Primary. A street intended to move through-traffic to and from such major attractions as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within the City; and/or as a route for traffic between communities; a major thoroughfare.

Arterial, Secondary. A street intended to collect and distribute traffic in a manner similar to primary arterials, except that they are designed to carry traffic from collector streets to the system of primary arterials and typically service minor traffic generating areas such as community-commercial areas, primary and secondary educational plants, hospitals, major recreational areas, churches and offices.

Arterial. Either a Primary Arterial or a Secondary Arterial as defined in this section.

Art Studio. Workspace for one or more artists or artisans, including the accessory sale of art produced on the premises.

Assembly Uses. A building or structure for the gathering together of persons for purposes of civic, social or religious functions.

Assisted Living Facility. A residential facility for elderly persons (age 60 or older) and their spouses, or for persons having such disabilities as to require assistance with daily living tasks, as suggested by their physician. The facility contains four or more dwelling units and/or rooming units, and provides, through on-site personnel, such exclusive resident services as meal preparation, laundry services and room cleaning.

Attached Single-Family Dwelling. Single-family dwelling units attached by a common wall or walls, and legally platted so that each unit sets on an individual lot providing for fee simple ownership of each lot.

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

Auction Facility. A building or any specific closed or open area where merchandise is gathered and sold by a form of sale called an auction.

Automobile. Every vehicle, except motorcycles, designed for carrying 12 passengers or less and used for the transportation of persons. Including all vehicles within Classes 1 and 2, as categorized by the Motor Vehicle Manufacturers Association of the United States, Inc.

Average Setback. An average of a given (i.e. front, side, or rear) setback of structures on either side of the subject property.

Awning. A cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

B.

Bakery, Retail. An establishment primarily engaged in the retail sale of baked products for consumption off site prepared either on or off site, which may include incidental food and coffee/tea service.

Banner. A sign which is constructed of cloth, canvas, or other type of natural or man-made fabric, or other similar light material which can be easily folded or rolled, but not including paper or cardboard.

Bar Establishment. A facility that prepares and sells food and drink that has alcoholic beverage sales more than 70% of the business's total annual sales.

Basin Sinkhole. A sinkhole shaped like a basin, usually characterized by smooth slopes and a flat bottom owing to a soil mantle on the bedrock.

Berm. A landscape feature used for screening in which earth is piled up in irregular, round or oblong shapes. Berms in combination with other landscape materials are used to block or partially block visibility from one side to the other.

Best Management Practice (BMP). Any structural or nonstructural control measure utilized to improve the quality and, as appropriate, reduce the stormwater run-off rate. The term includes schedules of activities, prohibitions of practice, treatment requirements, operation and maintenance procedures, use of containment facilities, land use planning, policy techniques, and other practices that comply with the Stormwater and Sediment Control Ordinance.

Beverage - Production. A facility that manufactures and produces beverages, including beer, distilled spirits or hard liquor, which may including ancillary tasting or sales to the general public and ancillary beverage distribution.

Beverage Production. A manufacturing plant designed to distill alcoholic spirits such as wine, beer, ale or liquor. No on-premises or consumption of drinks are allowed.

Beverage Sales - Liquor Store. Any business selling general alcoholic beverages, also known as sale of distilled spirits or hard liquor and may include wine and beer sales for off-premises consumption only.

Block. A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.

Board. When found in the zoning Ordinance, refers to the Board of Zoning Appeals of Greenwood, Indiana, unless explicitly stated otherwise.

Board of Aviation Commission (BOAC). The Greenwood Board of Aviation Commissioners.

Board of Public Works and Safety (BPWS). The Greenwood Board of Public Works and Safety.

Board of Zoning Appeals (BZA). The Greenwood Board of Zoning Appeals. See also, "Board."

Boarding House. A single-family dwelling other than a hotel where, for compensation and by arrangement, lodging is provided for three or more persons but not exceeding eight persons. Meals may or may not be provided, but there is one common kitchen facility. No meals are served to outside guests.

Boarding/Kennel. 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.

Bond. Any form of financial guaranty including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Plan Commission.

Brick. A solid or hollow masonry unit of clay mixture with sand and molded into a rectangular shape while in a plastic state, then baked in a kiln.

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

Buffer Yard. An area adjacent to front, side and rear property lines, measured perpendicularly from and parallel to 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.

Building. Any roofed structure built for the support, shelter, or enclosure of persons or property. Any portion of a structure that is completely separated from other portions of the structure by a division wall without openings shall be deemed to be a separate building.

Building Commissioner. For the purposes of this Ordinance, the Building Commissioner shall be synonymous with the term Building Inspector and shall refer to the person employed and delegated the primary responsibility of issuing improvement location permits and conducting inspections of same.

Building Frontage. The length of an outside building wall on a public or private street.

Building Height. The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest elevation of the roof in the case of a slant or flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade and the front of the building.

Building Permit. A permit signed by the Planning Director stating that a proposed improvement complies with applicable provisions of this Ordinance.

Business. Any occupation, employment, or enterprise which occupies time, attention, labor and/or materials for compensation whether or not merchandise is exhibited or sold, or services are offered.

C.

Caliper. The diameter of a tree trunk. Caliper measurements are taken six inches above finish grade for trees up to four inches in diameter and twelve inches above grade for larger diameter trees.

Campground. Any area or tract of land used or designed to be used for temporary occupancy by campers, or for temporary occupancy of recreational vehicles, travel trailers, tents, cabins, or other temporary accommodations.

Canopy. A structure other than an awning made of fabric, metal, or other material that may be supported by columns or posts affixed to the ground and may also be connected to and supported by a building that provides protection from the elements.

Catering service. A business which offers prepared food and drink for consumption elsewhere.

CBU. Cluster Box Unit; community mailboxes in a centralized unit of individually locked compartments for the delivery and collection of mail.

Cell Site. A tract or parcel of land that contains a cellular communication antenna, its support structure, accessory building(s), supporting equipment, parking and may include other uses associated with an ancillary to cellular communications transmission.

Cellular Tele-Communications. A commercial Low Power Mobile Radio Service licensed by the Federal Communications Commission (FCC) to providers in a specific geographical area in which the radio frequency spectrum is divided into discrete channels which are assigned in groups to geographic cells within a service area and which are capable of being reused in different cells within the service area.

Cellular Telecommunications Facility. A cellular telecommunications facility consists of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

Cemetery. Land used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Center Line. The mid-point in the width of a public right-of-way. This shall be determined by recorded subdivision plats, or by the historic center line for all unplotted rights-of-way. In the event that acquisition of additional right-of-way has taken place on one side of a right-of-way, the original center line prior to such acquisition shall be considered the center line for the purposes of this Ordinance.

Certificate of Occupancy. A certificate stating that the occupancy and use of land or a building or structure referred to therein has been inspected and found to be in compliance with the applicable laws of the State of Indiana and Ordinances of this City.

Channel. A natural or artificial watercourse that periodically or continuously contains moving water, or that forms a connecting link between two bodies of water, and that has a defined bed and banks which serve to confine the water.

Child Care Center. In accordance with Ind. Code § 12-17. 2, as amended, a building where at least 17 children receive child care from a provider while unattended by a parent, legal guardian, or custodian; for regular compensation; and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term includes a building where childcare is provided to less than 17 children if the provider has applied for a license under Ind. Code § 12-17. 2-4 and meets the requirements under Ind. Code § 12-17. 2-4.

Child Care – In Home. A residential structure in which at least six (6) children (not including the children for whom the provider is a parent, stepparent, guardian, custodian, or other relative) at any time receive child care from a provider:

- A. while unattended by a parent, legal guardian, or custodian;
- B. for regular compensation; and
- C. for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term does not include a child care center.

Child Care Home, Family. A residential structure in which less than six children receive child care from a provider while unattended by a parent, legal guardian, or custodian; for regular compensation; and for more than four hours but less than 24 hours in each of 10 consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. A child for whom a provider of care in the child care home is a parent, stepparent, guardian, custodian, or other relative; and who is at least seven years of age shall not be counted in determining whether the child care home is within the above limit.

Child Care Institution. A facility that:

- A. Operates under a license issued under Ind. Code § 31-27;
- B. Provides for delivery of mental health services that are appropriate to the needs of the individual; and,
- C. Complies with the rules adopted under Ind. Code § 4-22-2 by the department of child services.

City. The City of Greenwood, Indiana.

Clothing Services - Dry Cleaning . An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

Clubhouse. 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.

Club. An organization or association of persons who are united by a common interest and to which membership is required, that meet periodically for a shared activity, social, educational or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business. Use of club premises or club facilities is restricted to members and their guests.

Coach Garage. A detached garage and accessory structure located on the same site as a primary residential use.

Collector Street. A street intended to move traffic from local streets to secondary arterials. (A collector street serves a neighborhood or large subdivision and should be designed so that no residential properties face onto it and no driveway access to it is permitted unless the property is to be in multifamily use for four (4) or more dwelling units).

Collocation. The placement or installation of wireless facilities on existing structures that include a wireless facility or a wireless support structure, including water towers and other buildings or structures. The term includes the placement, replacement, or modification of wireless facilities within an approved equipment compound.

Commercial Center. A group of four or more separately operated commercial establishments, planned, developed, owned, and managed as a unit, with common off-street parking provided on the property.

Commercial Message. Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Commercial Recreation Facilities. Any activity which is generally related to the recreational field, such as bowling alleys, skating rinks, miniature golf, golf driving ranges, commercial swimming pools, and similar recreational activities such as pinball, electronic games, pool tables, etc.

Commercial/Residential Mixed-Use Building. A building containing a mix of commercial and residential activities.

Commercial Vehicle. Every vehicle designed for carrying more than 12 passengers or used for the transportation of goods, including all vehicles within Classes 3 through 8, as categorized by the Motor Vehicle Manufacturers Association of the United States, Inc. See also "Passenger Vehicle".

Commission. The City of Greenwood Advisory Plan Commission, unless the context indicates to the contrary. See also, "Plan Commission."

Commitment. A written condition to an approval for an application for a conditional use or variance and as defined in Ind. Code § 36-7-4-1015.

Common Council. The Common Council of the City of Greenwood.

Common Carrier. An entity licensed by the FCC or a state agency to supply local and/or long-distance telecommunications services to the general public at established and stated prices.

Common Open Space. See "Open Space, Common".

Communications Facility. A land use facility supporting antennas and/or microwave dishes that send and/or receive radio frequency signals. Communications facilities include structures or towers, supporting equipment and accessory buildings.

Communication Tower. A guyed, monopole, or self-supporting tower, constructed as a freestanding structure or in association with a building, other permanent structure or equipment, containing one or more antennas intended for transmitting and/or receiving television, AM/FM radio, digital, microwave, cellular, telephone, or similar forms of electronic communication.

Communications Trans-Mission System or Communications System. A wired communication transmission system, open video system, or wireless communications transmission system regulated by these regulations.

Compatible. A compatible land use situation is presented when a use is suitable for direct association with certain other uses because of consistency with the intent of the district or zone, similar or comparable characteristics, and indicating a mutually harmonious relationship with respect to protecting the use, value and enjoyment of property.

Comprehensive Plan. The comprehensive plan for Greenwood, Indiana, as amended according to the requirements of Ind. Code § 36-7-4-500 et seq.

Concept Plan. A plan for a subdivision or development of land, brought by the petitioner to the pre-submittal meeting, that shows in general terms the proposed land use, density, circulation, natural characteristics, and typical development of the area to be developed, as well as adjacent affected properties, and traffic.

Conditional Use. A conditional use is a use that would not be appropriate generally or without restriction throughout the district or zone but which, if controlled as to number, area, location or relation to the neighborhood could promote the public health, safety, convenience, prosperity or general welfare. Such uses may be permitted in such districts or zones as conditional uses.

Condominium. The individual ownership of a single unit, together with an interest in the common land and building areas and the underlying land, in conformance with the horizontal property law, Ind. Code § 32-1-6, as amended.

Condominium Association. The community association that administers and maintains the common property and common elements of a condominium.

Confined Feeding Operation. Any animal feeding operation subject to Ind. Code § 13-18-10; or any animal feeding operation that is causing a violation of water pollution control laws, any rules of the water pollution control board, or Ind. Code § 13-18-10. See Ind. Code § 13-11-2-40, as amended.

Construction. The 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, blasting and landscaping.

Construction Plan. The maps, drawings and textual descriptions sometimes accompanying a secondary plat and showing the specific location and design of improvements to be installed.

Construction Office. A manufactured mobile unit or similar structure, not designed for dwelling purposes, used as a temporary office or other similar use.

Contiguous. Adjoining or in actual contact with.

Contractor or Subcontractor. An individual or company hired by the project site or individual lot owner, their agent, or the individual lot operator to perform services on the project site.

Conveyance. Any pipe, swale, ditch, etc. intended to carry stormwater from one point to another.

Copy. The wording or image on a sign surface in either permanent or removable form.

Corner Lot. See Lot, Corner.

Council. The Common Council of the City of Greenwood, Indiana. See also, Common Council.

County. Johnson County, Indiana

County Recorder. The Johnson County official empowered to record and file land description plats.

Covenant. A private legal restriction on the use of land contained in the deed to the property and otherwise formally recorded.

Crematorium. A facility containing furnaces for the reduction of dead bodies to ashes by incineration.

Cul-de-sac. A local street with only one (1) outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement including public safety vehicles.

Culvert. A drainpipe that channels water under a bridge, street, or driveway.

Cut. See "Excavation".

D.

Dead-end Street. A street or a portion of a street with only one (1) vehicular traffic outlet, and no turnaround at the terminal end.

Deciduous. A plant with foliage that is shed annually before the plant becomes dormant.

Dedication. The transfer of private property to public ownership upon written acceptance.

Deed Restriction. See "Covenant".

Demolition. Any act or process which destroys or partially destroys a structure.

Density. A unit of measurement; the number of dwelling units per acre of land. The number of dwelling units per acre of the total land to be developed, including public right-of-way.

Detached Building. A building having no structural or roof connection with another building.

Detention and Corrections Facilities. A facility for the detention, confinement, treatment or rehabilitation of persons arrested or convicted for the violation of civil or criminal law. Such facilities include an adult detention center, juvenile delinquency center, jail, and prison. These facilities house prisoners who are in the custody of City/county/ law enforcement and the facilities are typically government owned.

Detention Pond. A facility constructed or modified to restrict the flow of stormwater through the facility's outlet to a prescribed maximum rate and, concurrently, to detain the excess waters that accumulate behind the facility's outlet.

Detention Storage. The temporary detaining or storage of stormwater in storage basins, on rooftops, on streets, on parking lots, on school yards, on parks, in open spaces, or on other areas, under predetermined and controlled conditions, with the rate of drainage therefrom regulated by appropriately installed devices.

Developer. The owner of land or his representative proposing changes to a parcel or parcels of land, including development, lot improvement or subdivision of land.

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

- A. construction, reconstruction, or placement of a structure or any addition to a structure;
- B. installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days;
- C. installing utilities, erection of walls and fences, construction of roads, or similar projects;
- D. construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;

- E. mining, dredging, filling, grading, excavation, or drilling operations;
- F. construction and/or reconstruction of bridges or culverts;
- G. storage of materials; or
- H. any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” 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. Specific plan for the residential, commercial, or industrial developments or other development of property setting forth certain information and data required by the Plan Commission, and prepared by a professional engineer, land surveyor, or architect, and conforming to the requirements of Ind. Code § 36-7-4-1400, et seq.

Development Standards. Regulations such as bulk, height, area, or space requirements set forth by the zoning Ordinance.

Development Standards Variance. A developmental standards variance is designed to adjust the regulations of the zoning Ordinance to the land for which the variance is granted. Generally speaking, a developmental standards variance applies to developmental standards such as bulk, height, area, or space requirement of this Ordinance. Once granted, a developmental standards variance shall run with the land, unless specifically stated otherwise in the conditions or commitments of the Board’s final determination.

Diameter at Breast Height (DBH). The diameter of a tree four and one-half (4’6”) feet above the average ground level. If the tree’s trunk splits or the tree is not over four and one-half (4’6”) feet tall, the diameter measurement of the trunk taken 12 inches above the ground level or the root ball shall constitute DBH.

Digital Display. The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital displays may include but are not limited to LCD, LED, or plasma displays.

Director. For the purposes of this Ordinance, the term Director shall mean the Director of the Division of Planning, or their designated representative.

District. Any specifically described area as indicated by the Official Zoning Map. See also “Zone”.

District, Overlay. An additional zoning designation, with corresponding regulations, that may apply to any district, zone, or parts of such districts or zones. Overlay districts shall be indicated on the official zoning map. The overlay district regulations may relax or further restrict the number or types of uses allowed as well as the way permitted activities operate within the overlay district boundaries.

District, Underlying. The district or zone to which an overlay district is added.

Disturbed Area. An area of land subjected to erosion due to the removal of vegetative cover and/or earthmoving activities, including filling.

Double Frontage Lot. A lot having frontage on two parallel public ways; in the case of a corner lot, both lot lines separate the lot from the street right-of-way shall be considered front lot lines, or in the case of a through lot, the lot line which most closely parallels the primary entrance of the primary structure shall be considered the front lot line, allowing the area located between the rear of the dwelling the minimum building setback line to function as a rear yard.

When a Double Frontage Lot can also be considered a Corner Lot, then regulations related to Corner Lots shall supersede. See also, "Through Lot" and "Lot, Through."

Drainage. The collection, conveyance, or discharge of ground water and/or surface water.

Drainage Area. The area served by a drainage system; a watershed or catchment area.

Drainage Basin. The area from which water is carried off by a drainage system; a watershed or catch area.

Drainage Facilities. All ditches, channels, conduits, retention-detention systems, tiles, swales, sewers, and other natural or artificial means of draining stormwater from land.

Drainageway. The area within which surface water or ground water is carried from one part of a lot or parcel to another part of the lot or parcel or to adjacent land.

Drip Line. A vertical line extending from the outermost branches of a tree to the ground.

Drives, Private. Vehicular streets and driveways, paved or unpaved, which are wholly within private property except where they intersect with other streets within public rights-of-way.

Driveway. A public or private access which affords ingress or egress to a property.

Driveway, Shared. A single access to a public road shared by two tracts of land.

Dwelling. A building, or portion thereof, designed or used exclusively for residential occupancy, including single-unit dwellings, two-unit dwellings or multiple-unit dwellings, but not including hotels or motels.

Dwelling, Group. See "Group Home".

Dwelling, Live-Work. A dwelling unit that contains, to a limited extent, a separate commercial component on the ground floor and is typically in the form similar to a townhouse or store with residential quarters above or behind the commercial use.

Dwelling, Multi-Unit Building. A building containing three or more dwelling units.

Dwelling, Multi-Unit Building Complex. A site containing two or more multi-unit buildings situated in relation to one another, which may include common facilities such as a clubhouse and/or swimming pool and common parking areas.

Dwelling, Nursing. A health facility where persons are housed and furnished with meals and continuing nursing care for compensation.

Dwelling, Two-Unit. A building on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

Dwelling Unit. One or more rooms, designed, occupied or intended for occupancy as a separate living quarter, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single household.

E.

Easement. A right of use over designated portions of the property of another for a specified purpose.

Eating and Drinking Establishment. A business establishment that prepares and serves food and beverages to patrons and may include the sale of alcohol.

Electrical Transmission Tower. A structure that physically supports high voltage overhead power lines. The term does not include a utility pole.

Elevation. A scaled-drawing of any side of a building or structure.

Employee. A person working for another person or a business for pay.

Enclosed Mall Shopping Center. A commercial real estate development comprised of department, retail, and/or commercial stores the majority of which stores have entrances facing upon a common enclosed mall. The terms "enclosed mall shopping center" as used herein shall not include freestanding buildings located at or about such enclosed mall shopping centers.

Engineer, Professional. Any person who is licensed by the State of Indiana to practice professional engineering.

Entrance, Primary. The main entrance to a building that pedestrians are expected to use. Each building has one main entrance.

Environmental Constraints. Features, natural resources, or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.

Equipment Repair – Heavy. Repair services for a movable or transportable vehicle or other apparatus commonly used in commercial, industrial, or construction enterprises, such as but not limited to trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, having a gross weight of 2.5 tons or more. See "Repair, Equipment – Heavy".

Equipment Repair – Light. Repair services for a movable or transportable vehicle or other apparatus commonly used in commercial, industrial, or construction enterprises, such as but not limited to trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, lifts, having a gross weight of less than 2.5 tons. See "Repair, Equipment – Light".

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 and Sediment Control Measure. A practice or a combination of practices, to control erosion and resulting sedimentation.

Erosion and Sediment Control Plan. A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

Erosion and Sediment Control System. The use of appropriate erosion and sediment control measures to minimize sedimentation by first reducing or eliminating erosion at the source and then, as necessary, trapping sediment to prevent it from being discharged from or within a project site.

Erosion Control/Grading Plan. A plan that fully indicates necessary land treatment measures, including a schedule of the timing for their installation, which will effectively minimize soil erosion and sedimentation caused by land disturbing activities.

Event Center. A building (which may include on-site kitchen) where indoor and outdoor activities such as weddings, receptions, banquets, corporate events and other such gatherings are held.

Evergreen. A plant with foliage that persists and remains green year-round.

F.

Façade, Street-Facing. The front façade of a building facing a street. See "Front Street Facing Wall".

Façade. The portion of any exterior elevation on the building extending from grade to top of the parapet, wall or eaves and the entire width of the building elevation.

Fall Zone. The area within which the wireless support structure is designed to collapse.

Family. One or more persons occupying a single dwelling unit, living together as a single housekeeping unit, and sharing common living, sleeping, eating and cooking facilities. Family does not include any group living in a boarding house, hotel, club, fraternity, sorority, or rooming house.

Farm. A tract of land comprising an area which is devoted to agricultural operations, such as forestry; the growing of crops; pasturage; the production of livestock and poultry (domestic fowls, such as chickens, turkeys, ducks, or geese, raised for meat or eggs); the growing of trees, shrubs and plants; and other recognized agricultural pursuits and including accessory buildings on a lot, measured between side lot lines on the front building line.

Farm House or Farm Dwelling. The principal dwelling or residence of the owner or operator of the farm, which is located on the farm.

Farm Operation. Any of the following activities involved in carrying on a farm business:

- A. growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- B. clearing, draining, irrigating or cultivating land;
- C. using farm machinery, equipment, devices, materials and structures;
- D. applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- E. conducting any other activity on, in or over agricultural land required to reasonably carry on an agricultural farming operation;
- F. intensively cultivating in plantations, any
 - 1. specialty wood crops, or;
 - 1. specialty fiber crops;
- G. conducting turf production; or
- H. processing or direct marketing the products of a farm owned or operated by the farmer, as well as products not of that farm to the extent that the processing or marketing of those products is conducted on the farmer's farm.

FBFM. Flood Boundary and Floodway Map.

FCC. The Federal Communications Commission.

Feasibility Report. A written report prepared by a registered professional engineer or a registered land surveyor pertaining to the suitability of the site for various types of water and sewage disposal systems; for drainage retention or detention; and the subsoil conditions for various methods of street construction.

Feedmill. A facility where feed is processed and prepared for animals. This facility sells its product either directly to the user or may provide the service of delivery to the user.

Fence. An enclosure or barrier used as a boundary, means of protection, privacy screening or confinement, but not including, hedges, shrubs, trees or other natural growth.

Filled Sinkhole. A sinkhole of any type that is wholly or partially filled with alluvium, colluvium (heterogenous soil and rock fragments deposited by mass-wasting and sheetwash), lacustric or paludal sediments.

Filling Station, Service Station. Buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail. Uses permissible at a service station do not include major mechanical and body work, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations. The term shall not be construed to include a truck stop.

Final Plat Approval. Plan Commission approval of a final plat of a subdivision the construction of which has been completed or substantially completed.

Financial Guarantee. Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Governing Body. The Governing Body shall approve all financial guarantees whenever required by these regulations.

Financial Services and Banking - with drive thru. A bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM) with a drive thru. Financial institution shall not include a currency exchange.

Financial Services and Banking - without drive thru. A bank, savings and loan, credit union, mortgage office, or automated teller machine (ATM) without a drive thru. Financial institution shall not include a currency exchange.

Finding of Fact. Information obtained with respect to a matter or a statement or a writing made by any person or entity required to make a finding under the terms of this Ordinance.

Five Hundred-year Flood (500 Year Flood). Means the flood that has a 0.2 percent chance of being equaled or exceeded in any year.

Flag Lot. A lot with two distinct parts:

- A. The flag, which is the only buildable area ; and is located behind another lot; and
- B. The pole, which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.

Flag. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Flammable Liquid. A liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal water.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (3) Mudslides (i.e., mudflows) which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

Floodplain or Flood Prone Area. Any land area susceptible to being inundated by water from any source (See "Flood")

Floodplain Administrator. The City official designated to authorize and enforce the floodplain regulations in this Ordinance.

Floodplain Development Permit. A permit signed and issued by the Floodplain Administrator stating that the proposed improvements for a site have been reviewed and found to follow the applicable floodplain management provisions of this Ordinance.

Flood Water. The water of any lake or watercourse which is above the banks and/or outside the channel and banks of such lake or watercourse.

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, Gross. The sum, in square feet, of the floor areas of all roofed portions of a building as measured from the interior walls. It includes the total of all space on all floors of a building. It also includes porches, attached garages, or space in a basement or cellar when said basement or cellar space is used for storage or other such incidental uses. The gross floor area is generally applied in residential use for determining minimum ground level floor area.

Food Sales - Farm Market. Retail sales of agricultural products and items grown or produced in and around the City.

Food Sales - Large Grocery. A retail establishment which primarily sells food, but also may sell other convenience and household goods, and which occupies at least 25,000 square feet of gross floor area. At least 1,000 square feet of a large grocery shall be devoted to the sale of fresh produce at all times.

Food Sales - Neighborhood Grocery/Market < 5,000 GFA. A retail establishment which primarily sells food, but also may sell other convenience and household goods, and which occupies no more than 5,000 square feet of gross floor area. At least 250 square feet of a small grocery shall be devoted to the sale of fresh produce at all times.

Food Sales - Small Grocery. A retail establishment which primarily sells food, but also may sell other convenience and household goods, and which occupies at least 5,000 square feet but not more than 25,000 square feet of gross floor area. At least 500 square feet of a small grocery shall be devoted to the sale of fresh produce at all times.

Food Service - Fast Casual Restaurant. An establishment where food is preparing and purveying food on a full-service basis where customers order at the counter and where their prepared food is either delivered to them or carried by them to a table for on-premises consumption or carried out for off-premises consumption.

Food Service - Full-Service Restaurant. An establishment maintained, operated, and/or advertised or held out to the public as a place where food and beverage are served to the public on demand from a menu during stated business hours, served in and on reusable containers and dinner-ware, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools. This use may include incidental delivery service using no more than two delivery vehicles.

Food Service - Processing. Manufacturing establishments processing foods for human consumption and certain related products. Includes: (1) bakery products, sugar and confectionery products (except facilities that produce goods only for on-site sales with no wider distribution); (2) dairy products processing; (3) fats and oil products (not including rendering plants); (4) fruit and vegetable canning, preserving, and related processing; (5) grain mill products and by-products; (6) meat, poultry, and sea-food canning, curing, and byproduct processing (not including facilities that also slaughter animals); and (7) miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants.

Food Service - Production. Manufacturing establishments producing foods for human consumption and certain related products. Includes rendering plants and animal slaughterhouses.

Food Service - Quick Serve/Fast Food with Drive-thru. An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis.

Customer orders and/or service may be by means of a walk-up counter or window designed to accommodate vehicular traffic. Consumption may be either on or off the premises.

Food Service - Quick Serve/Fast Food without Drive-thru. An establishment engaged primarily in the business of preparing food and purveying it on a self-serve or semi self-serve basis. Customer orders and/or service may be by means of a walk-up counter. Consumption may be either on or off the premises.

Footcandle . A measure of illumination on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Footprint. The horizontal area of a building or structure as seen in plan, measured from outside of all exterior walls and supporting columns.

Forestry Operation. Forestry Operation includes facilities, activities, or equipment used to plant, raise, manage, harvest, and remove trees on private land. The term includes site preparation, fertilization, pest control, and wildlife management.

Foundation. The supporting member of a wall or structure.

Foundation Siding (Skirting). A type of wainscoting constructed of fire and weather resistant material, such as aluminum, treated pressed wood or other approved materials, enclosing the entire undercarriage of the manufactured or mobile home.

Frequency. The number of times that a displacement completely repeats itself in one second of time. Frequency may be designated in cycles per second (cps) or Hertz (Hz).

Fringe or Flood Fringe. Those portions of the floodplain lying outside the floodway

Front Building Line. The foundation line that is nearest the front lot line.

Front Lot Line. A lot line dividing a lot from a street. On a corner lot only one street line may be considered as a front line and only one yard the front yard, which shall be the front lot line is the lot line directly opposite the front façade of a building. See also "Lot Line, Front."

Front Elevation. The front façade of a building facing a street.

Frontage. The length along the street right-of-way line of a single lot, tract, or development area between the side lot lines of the property. It is that side of a lot abutting a street and ordinarily regarded as the front of the lot.

Frontage Street/Road. A service road, usually parallel to a highway, designed to reduce the number of driveways that intersect the highway.

Fuel/Energy Station. Structure or lot where fuel and other vehicular propulsion needs are provided to customers but are not performed by an employee (other than to pump gas).

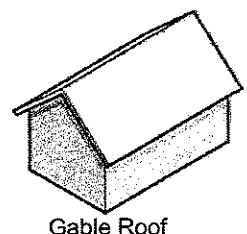
Full-cutoff Fixture or Luminaire. A luminaire that:

- Projects at least 90% of the total lamp lumens below 80° from vertical;
- Does not allow more than 10% of the total lamp lumens above 80° from vertical; and
- Does not allow more than 2.5% of the total lamp lumens above 90° from vertical.

Funeral Home. An establishment providing services related to death, including funerals.

G.

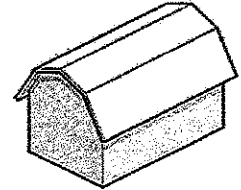
Gable Roof. A roof that consists of two slopes that meet at a common ridge at the top to form an inverted "v".



Gable Roof

Gallery – Art. A facility or area that is open to the public and is intended for the acquisition, preservation, study, and/or exhibition of works of artistic value.

Gambrel Roof. A roof that appears rounded and contains two different slopes coming down from the apex of the roof; the lower slope is steeper than the top slope. They often appear as though they are “capping” a building, and frequently used as barn roofs.



Gambrel Roof

Garage, Attached. A portion of the principal building, used or designed to be used for the parking and storage of Class I and Class II vehicles associated with the primary use of the lot on which it is situated, including carports.

Garage, Detached. An accessory building, or part thereof, used or designed to be used for the parking and storage of Class I and Class II vehicles associated with the primary use of the lot on which it is situated, including carports.

Garage, Public. A structure, or portion thereof, other than a private customer and employee garage or private residential garage, used primarily for the parking and storage of vehicles and available to the general public.

Garden Center – Indoor and Outdoor. An establishment primarily engaged in the retail sale of garden supplies and plants grown on the premises or elsewhere. This classification includes the sale of landscape materials, topsoil and rental of landscaping equipment.

Geotechnical Consultant. An expert in a specific area of environmental concern pertinent to a specific site, having appropriate specific education and/or experience in the judgement of the approving authority.

Glare. A light ray emanating directly from a lamp, reflector or lens such that it falls directly on the eye of the observer.

Glass Block. Two sheets of flat glass with an air space between them, formed into a sealed modular hollow block.

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

Governing Body. The body of the relevant local government having the power to adopt Ordinances.

Government Administration and Courts. A facility devoted to the operations of the City, County or State, but not including detention and corrections.

Government Services. The use of property for the provision of public services such as government administration, fire, police, road and other publicly provided services.

Governmental Facility. A government owned or operated building, structure, or land used for public purpose.

Grade. The slope of land, pavement, pipes, etc. or similar public way, specified in terms of percentage. Example: One foot of rise or fall in 100 feet would be 1%.

Grading. Any stripping, excavating, filling, and stockpiling of soil or any combination thereof and the land in its excavated or filled condition.

Grading Plan. See “Erosion Control/Grading Plan”.

Greenbelt. As used in the I-65 Corridor Overlay Zone:

- A. **Corridor Greenbelt.** That portion of the front yard of a lot that is immediately adjacent and parallel to the street right-of-way of Emerson Avenue, Arlington Avenue, Interstate Highway I-65, Main Street, or County Line Road and having a minimum depth of 30 feet from the street right-of-way line.
- B. **Interior Streets Greenbelt.** That portion of the front yard of a lot that is immediately adjacent and parallel to the right-of-way of other streets (other than those listed above) within the I-65 Corridor Overlay Zone and having a minimum depth of 15 feet from the street right-of-way line.

Greenhouse. A building, room, or area, usually chiefly of glass, in which the temperature is maintained within a desired range, used for cultivating tender plants or growing plants out of season.

Green Space. Areas designated for public gathering or recreation (passive or active), held in private or public ownership.

Gross Land Area. All areas (whether covered by land or water or rights-of-way) contained within the perimeter property boundaries of a proposed project.

Ground Cover. Plants, other than turfgrass, normally reaching an average maximum height of not more than 24 inches at maturity.

Ground Floor. The first floor of a building other than a cellar or basement.

Guest Room. A guest room is any room offered or used to provide sleeping accommodations to guests. For example, a guest room may be a bedroom, or any other room equipped with a bed, sofa, futon, cot, mattress, or sleeping pallet.

Gutter Spread. The spread of water on a roadway surface perpendicular from the face of the gutter into the driving lane.

Guyed Tower. A communication tower that is supported, in whole or in part, by guy wires and ground anchors.

Gymnastics/Martial Arts Studio. See "Studio, Gymnastics/martial arts".

H.

Hardship or Unnecessary Hardship. Significant economic injury that:

- A. Arises from the strict application of this Ordinance to the conditions of a particular, existing parcel of property;
- B. Effectively deprived the parcel owner of all reasonable economic use of the parcel; and
- C. Is clearly more significant than compliance cost or practical difficulties.

Hazardous and Toxic Materials. Any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

Health Care Facility. A private or public establishment maintained and operated to provide health care services, including but not limited to:

- A.. **Dental Clinic or Medical Clinic.** A facility for the examination and treatment of ill and afflicted human outpatients by their regular doctor(s), provided that patients are not kept overnight.

- B. **Emergency/Immediate Care Medical Facility.** A facility for the examination and outpatient treatment of “walk-in” human patients, which may be open 24 hours per day.
- C. **Dental Office or Doctor’s Office.** Same as dental or medical clinic.
- D. **Hospital.** An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, clinics and administrative offices operated in connection therewith.
- E. **Public Health Center.** A facility primarily utilized by a health unit for providing public health services including related facilities such as laboratories, clinics and administrative offices operated in connection therewith.
- F. **Sanatorium.** An institution providing health facilities for in-patient medical treatment and recuperation making use of natural therapeutic agents.
- G. **Medical or Dental Labs.** A facility for scientific laboratory analysis of medical or dental resources. The scientific analysis is generally performed for an outside customer. This category includes medical or veterinary laboratories for the analysis of blood, tissue, or other human medical or animal products. Forensic laboratories for analysis of evidence in support of law enforcement agencies would also be included in this category.
- H. **Assisted Living Facility.** Housing that is designed for and primarily occupied by elderly or handicapped residents, which offers a program of services to deal with the activities of daily living and may offer meals in a congregate dining area. An assisted living facility does not provide continuing nursing care or institutional care.

Health Care Services. The furnishing of medicine, medical or surgical treatment, nursing, hospital service, dental service, optometrical service, complementary health services or any or all of the enumerated services or any other necessary services of like character, whether or not contingent upon sickness or personal injury, as well as the furnishing to any person of any and all other services and goods for the purpose of preventing, alleviating, curing or healing human illness, physical disability or injury.

Health and Wellness – Clinic. A facility operated by one or more physicians, dentists, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis, including physical therapy.

Health and Wellness – Fitness Facility/Gym. A facility which promotes physical fitness, weight control, exercise, and personal improvement that may also include massage or bathing.

Health and Wellness – Massage. Any building, room, place, or establishment other than a regularly licensed and established hospital or dispensary where nonmedical or nonsurgical manipulative exercises or devices are practiced upon the human body manually or otherwise by any person other than a licensed physician, surgeon, dentist, occupational or physical therapist, chiropractor, or osteopath with or without the use of therapeutic, electrical, mechanical, or bathing devices. Shall also include any bathing establishment.

Height, Building. The vertical distance from the average grade level adjoining the building: to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between the eaves and the ridge for gable, hip and gambrel roofs.

Height, Maximum. Maximum height is measured from grade level to the highest point of the structure.

Heliport. A designated land area used for helicopter operations and any appurtenant areas, including fueling facilities, terminal buildings and maintenance and repair facilities.

Heliport Approach Surface Area. The land area designated as “Heliport Approach Surface Area” on the Airspace District Zoning Map, located at the edge of the heliport landing and take-off area. Said surface area having a width equal to the width of the heliport landing and take-off

area and widening thereafter uniformly to a width of 500 feet at a horizontal distance of 4,000 feet from the landing and take-off area.

Heliport Landing and Take-Off Area. The area of the heliport used for the landing and take-off of helicopters.

Heliport Primary Surface Area. That area coinciding in size and shape with the Heliport Landing Take-Off Area.

Heliport Transitional Surface Area. The land area designated as Transitional Surface Area on the Airspace District Zoning Map, located adjacent to the heliport primary surface. Said surface extends outward perpendicular to the centerline of the primary and approach surfaces for a horizontal distance of 250 feet.

Highway, Limited Access. A freeway, or expressway, providing for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right to access to or from the same, except as such points and in such manner as may be determined by the public authority having jurisdiction over such a highway.

Highway, State. Any street which is under the jurisdiction of the Indiana Department of Highways.

Historic Structure. Any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

Home Occupation. A home occupation is an accessory use of a dwelling unit for gainful employment involving the provision or sale of goods and/or services, conducted entirely within the dwelling unit, carried on by one or more persons, all of whom reside within the dwelling unit, and where no more than one persons are employed from outside the dwelling unit. The use must be clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof or adversely affect the uses permitted in the district or zone of which it is a part. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence other than for a nameplate as permitted elsewhere in this section.

Homeowners Association. A community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities.

Homogeneity. The uniformity of the overall structure, resulting from the compatibility of components.

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. This also includes standalone emergency rooms.

Household. A person living alone or two or more persons living together as a single housekeeping unit as distinguished from two or more persons living together in any congregate or group housing. For purposes of this Ordinance, the following shall create a rebuttable presumption that the group is not a single housekeeping unit:

- A. Keyed lock(s) on any interior door(s) to prevent access to any area of the dwelling unit with sleeping accommodations;
- B. Members of the group have separate leases, or sub-leases and/or make separate rent;
- C. Payments to a landlord; and
- D. The group significantly reforms over the course of a twelve (12) month period by losing and/or gaining members.

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I.

IDEM. The Indiana Department of Environmental Management.

Illicit Connection. Any method or means for conveying an illicit discharge into water bodies or the City's stormwater conveyance system.

Illicit Discharge. Any discharge to water bodies that do not consist entirely of stormwater discharges, pursuant to the terms of an NPDES permit. The following non-stormwater discharges are allowable discharges and are exempt from requirements of the Stormwater Drainage and Sediment Control Ordinance:

- A. Water line flushing with diffusion device;
- B. Landscape irrigation;
- C. Diverted stream flows;
- D. Rising ground waters;
- E. Uncontaminated ground water infiltration;
- F. Uncontaminated pumped ground water;
- G. Foundation drains;
- H. Air conditioning condensation;
- I. Irrigation water;
- J. Springs;
- K. Water from crawl space pumps;
- L. Footing drains;
- M. Lawn watering;
- N. Individual residential car washing and non-profit carwash fund raising events;
- O. Dechlorinated swimming pool discharges;
- P. Street washing/cleaning water;
- Q. Discharges from firefighting activities.

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

Illumination. A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

Immediate Sinkhole Drainage Area. Any area that contributes surface water directly to the sinkholes, not including areas that contribute surface water indirectly to a sinkhole (e.g. by streams).

Impact Areas. Areas defined and mapped by the Greenwood Stormwater Board which are unlikely to be easily drained.

Impact Drainage Area. Certain geographic area within the City where the Board of Public Works and Safety has established special regulations to address specific drainage issues of the area.

Impervious. A material through which water cannot pass, or through which water passes with difficulty.

Impervious Lot Coverage. The percentage of a lot's area covered by any building or structure or any impermeable surface other than water bodies.

Impervious Surface. Hard surface area that collects and concentrates run-off from a property or parcel of land, including:

- A. Asphalt and concrete roadways, driveways and parking and storage areas;
- B. Compacted gravel roadways, driveways and parking and storage areas;
- C. Rooftops, sidewalks, patio areas and pool decks;
- D. Other areas as deemed necessary and approved by the Greenwood Stormwater Board.

Improvement. Any building, structure, parking facility, fence, gate, wall, work or art, underground utility service or other object constituting a physical betterment of real property, or any part of such betterment. See Lot, Improvement or Public Improvement.

Improvement Location Permit (ILP). A certificate issued by the Building Commissioner permitting a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure within the locality, or cause the same to be done.

Improvement, Lot. Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated, constituting a physical betterment of real property, or any part of such betterment. See Lot Improvement.

Improvement, Public. Any drainage ditch, roadway, sidewalk, curb, tree, lawn, off-street parking area, main, or other facility for which the local or state government may ultimately assume the responsibility for maintenance and/or operation, or which may affect an improvement for which local or state government responsibility is established. All such improvements shall require financial guarantee.

Improvement, Temporary. Improvements built and maintained by a subdivider during construction of the subdivision and which may become permanent prior to release of the performance guarantee.

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

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 flood damage prevention Ordinance. 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.

Indiana Code. The Burns Indiana Statutes Code Edition, which codifies all Indiana statutes for reference purposes. The latest edition with any amending supplements must be referred to for the laws "now" in force and applicable. (Usually abbreviated as Ind. Code herein).

Indiana Utility Regulatory Commission (IURC). The IURC regulates those telecommunications which are also considered public utilities. Where the telecommunications service being provided is a public utility, such as telephone service, including local, long distance or cellular telephone service, then those services fall under IURC jurisdiction.

Individual Sewage Disposal System. A septic tank, seepage tile, sewage disposal system, or any other approved sewage treatment device designed for use in a limited area.

Industrial, Heavy. Manufacturing, processing, assembling, storing, testing, and similar industrial uses which are generally major operations and extensive in character; require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and normally generate some nuisances such as smoke, noise, vibration, dust, glare, air pollution, and water pollution, but not beyond the district or zone boundary.

Industrial, Light. Manufacturing or other industrial uses, which are usually controlled operations; relatively clean, quiet, and free of objectionable or hazardous elements such as smoke, noise, odor, or dust; operating and storing within enclosed structures; and generating little industrial traffic and no nuisances.

Industrial Park. A planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation and open space.

Infill Lot. A lot bordered on at least two (2) sides by established development.

Infrastructure. The services and facilities necessary in a community, including but not limited to sewers, water systems, streets, utilities and drainage services.

Inlet (Stormwater Inlet). An opening into a storm sewer system through which surface stormwater runoff enters the system.

Innovation, Manufacturing and Production. Manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site.

Inoperable Vehicle. A motor vehicle, recreational vehicle, or any similar vehicle exhibiting one or more of the following:

- A. Any vehicle that is damaged or dismantled to such extent as to render it illegal for operation on any public street or highway, including but not limited to any of the following: broken head or taillights, broken or missing mirrors, cracked or missing window or windshield, deflated tires, missing seats or steering wheel, or other general conditions that would render a vehicle incapable of being driven on a public highway;
- B. Any vehicle, whether on public or private property and in view of the public from which, for a period of at least (14 days, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power; or
- C. Not having valid vehicle license plate or registration.
- D. By way of illustration only, the term "Inoperable Vehicle" can include, without limitation, any of the following: vehicles, motorized bicycles, motorcycles, trucks, tractors, tractor-trailers, truck trailers, trailers, buses, boats, watercrafts, recreational vehicles, ATVs, golf carts, campers, camping trailers, truck campers, motor homes, travel trailers, semitrailers, or any other vehicles propelled or drawn by mechanical power or the like.

Intense Burning. A rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly.

Interested Parties. Those persons who are to be notified by mail of a public hearing, or other action, on a proposed subdivision of land; namely, the applicant or developer of the property to be subdivided and the fee simple owners (executive officer or board of governmental owner) of those properties that share a common boundary line or point with the property to be subdivided

or that would share a common boundary line or point with the property to be subdivided but for the existence of a public or private street or a distinct parcel owned by the applicant or developer (see Commission Rules for Procedure). If an abutting property consists of "common areas" that are owned and/or maintained by a subdivision/condominium property owners' association, the association, rather than the individual subdivision lot/condominium owners, shall be deemed the "interested party" for purposes of notice, unless, additionally, the Administrator orders that certain individual owners be provided with notice as interested parties. The identity of interested parties shall be determined from the following sources: (1) the subdivision application; (2) the Auditor's Plat Books; and (3) the Auditor's Transfer Books.

Interior Lot. See "Lot, Interior".

Intermittent Stream. A surface watercourse which flows typically only after significant precipitation events or during a particular season, and which evidences a discernable stream bed. This does not encompass man-made drainage ways or natural swales which lack a discernable stream bed.

Internal Setback. The distance between a structure and the closest of either:

- A. An access or ingress/egress easement line; or
- B. The back of curb of an access drive or private street; or
- C. The edge of pavement of an access drive or private street; or
- D. The edge of pavement of the sidewalk running alongside an access drive or private street.

Intersection. An area within a 100' radius of the intersecting centerlines of two (2) cross streets.

J.

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

Junkyard (including automobile wrecking). Any place at which personal property is or may be salvaged for reuse, resale, or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or assorted; including, but not limited to used or salvaged rope, bags, paper, rags, glass, rubber, lumber, millwork, brick and similar property except animal matter; and used motor vehicles, machinery or equipment which is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom.

Jurisdiction of the Commission. The territory within the City of Greenwood, Indiana, the boundaries of which are shown on the Official Zoning Map, which includes all of the area over which this chapter is effective.

K.

L.

Land. Any ground, soil or earth, including marshes, swamps, drainage ways, and areas not permanently covered by water, within the City.

Land Alteration. Any action taken relative to land which either:

- A. Removes the natural ground cover; or
- B. Changes the contour; or

- C. Increases the runoff rate; or
- D. Changes the elevation; or
- E. Decreases the rate at which water is absorbed; or
- F. Changes the drainage pattern; or
- G. Creates or changes a drainage facility; or
- H. Involves construction, enlargement or location of any building on a permanent foundation; or
- I. Creates an impoundment.

Land Disturbing Activity. Any man-made change of the land surface including clearing, cutting, excavating, filling, or grading of land or any other activity that alters land topography or vegetative cover, but not including agricultural land uses such as planting, growing, cultivating and harvesting crop, growing and tending gardens and minor landscaping modifications.

Landfill. The burial of non-hazardous, non-radioactive and non-medical farm, residential, institutional, commercial, or industrial waste, usually after the waste has been compacted.

Landscape Area. Land that has been decoratively or functionally altered by contouring and planting shrubs, trees or vines, and with a living or nonliving ground cover.

Landscape Plan. A component of a development plan on which is shown: proposed landscape species (such as quantity, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.

Landscaping. The improvement of a lot, parcel or tract of land with a combination of living plants (such as grass, shrubs, trees and/or other plant material) and nonliving material (such as rocks, mulch, walls, fences, or ornamental objects) designed and arranged to produce an aesthetically pleasing effect.

Land Surveyor. Any person who is licensed in the State of Indiana to practice land surveying.

Large Farm Animals. Large farm animals are large domestic farm animals such as, but not limited to: cows, buffalo, llamas, goats, sheep, and pigs.

Large Grazing Type Farm Animals. Large domestic farm animals such as, but not limited to, cows, buffalo, llamas, goats, and sheep, which are typically allowed to roam within a large grazing area. Pigs shall not be interpreted as a large grazing type farm animal.

Lateral Storm Sewer. A sewer to which inlets are connected but to which no other storm sewer is connected.

Lattice Tower. A guyed or self-supporting three or four sided, open, steel frame structure used to support telecommunications equipment.

Law Department. The City department of licensed attorney(s) designated by the City to furnish legal assistance for the administration of this Ordinance.

Legal Drain. Any drain or channel that carries surplus water and was established under or made subject to any Indiana drainage statute. See Ind. Code § 36-9-27-1.

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

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

Legal Nonconforming Sign. Any sign lawfully existing on the effective date of this Ordinance, or amendment thereto, that does not conform to all the standards and regulations of the Ordinance and has been registered within the allotted time as described in this Ordinance.

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

Library. A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

License. The rights and obligations extended by the municipality to an operator to own, construct, maintain and operate its system within the boundaries of the municipality for the sole purpose of providing services to persons or areas outside the municipality.

Light Equipment. Motorized equipment weighing six tons or less.

Light Source. Source from which light emanates either directly from the bulb, or indirectly from a reflective enclosure, lens, or diffuser.

Limited Agriculture Related Sales. On-site sales of commodities, which are produced, grown, or raised on the subject property.

Liquor Store. A facility for the sale of beer, wine, and/or liquor not for on-premises consumption that derives 75 percent or more of its gross revenue from the on-premises sale of beer, wine, and/or liquor.

Live Theater. A structure used for dramatic, operatic, or other live performance, for admission to which entrance money is received.

Livestock. Any animal which has been domesticated primarily for agricultural purposes, but not including house pets such as dogs, cats, or any other similar animal or fowl usually considered a house pet.

Livestock Auction Market. An established place of business and surroundings, where domestic animals are consigned to be sold at public auction upon a commission basis to be paid by the consignor at which place the operator of the business acts as agent for consignor, and said place has been inspected and approved on the basis of maintaining minimum standards, in conformance with regulations adopted by the State Board of Health.

Living Area - The interior, habitable space within a dwelling which is finished, heated, and accessible year-round with a minimum required ceiling height.

Loading Spaces, Loading, and Unloading Berths. The off-street area required for the receipt or distribution by vehicles of material or merchandise.

Local Street. A street intended to provide access to other streets from individual properties and to provide right-of-way beneath it for sewer, water, and storm drainage pipes.

Lodging – Bed and Breakfast. An operator-occupied residence that:

- A. Has no more than 14 guest rooms;
- B. Provides breakfast to its guests as part of the fees;

- C. Provides sleeping accommodations for no more than 30 consecutive days to a guest;
- D. Provides sleeping accommodations to the public for a fee; and
- E. The term does not include hotels, motels, health or limited care facilities, boarding houses, group quarters, hospice, rescue missions or food service establishments.

Lodging - Extended Stay. A building in which temporary lodging and/or boarding is provided to the public for compensation. The provider typically provides telephone service, laundry facilities, upkeep of furniture, and other services. Compensation is based upon stays of more than one day and reduced rates are typically featured for weekly/ monthly stays.

Lodging - Hotel. A building in which temporary lodging or board and lodging are provided and offered to the public for compensation assessed on a daily basis 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 an open to the public at all hours. A hotel may include full or limited dining and food services.

Lodging - Motel. A building or group of buildings in which lodging is provided to guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

Logging. The practice of timber harvesting or tree harvesting involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

Lot. A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or of building development. See also, Parcel; see also, Property.

Lot Area. The area of horizontal plane bounded by the vertical planes through front, side and rear lot lines.

Lot, Corner. A lot situated at the intersection of two (2) streets. A corner lot has a front yard on each abutting street. Corner lots must observe the minimum front yard setback from both streets and observe the minimum side yard setback from the remaining property lines.

Lot Coverage. The percentage of the lot area that is covered by the building or structure, exclusive of open courts, terraces or decks. See Floor Area and Open Space.

Lot Depth. The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line. The lot depth of a multiple frontage lot may be determined from any of its front lot lines.

Lot Frontage. The front of a lot shall be construed to be the portion nearest the street right-of-way. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to street right-of-way shall be considered frontage, and yards shall be provided under Yards in this section.

Lot, Improvement. Any building, structure, work of art, or other object, or improvement of the land on which such objects are situated that constitute a physical betterment of real property.

Lot, Interior. A lot other than a corner lot with only one frontage on a street other than an alley.

Lot Line. A lot line is a property boundary line of any lot held in single or separate ownership; except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley line.

Lot Line, Front. A lot line dividing a lot from a street. On a corner lot only one street line may be considered as a front line and only one yard the front yard, which shall be the front lot line is the lot line directly opposite the front façade of a building.

Lot Line, Rear. The lot line opposite the front lot line. On a corner lot, the rear lot line shall be opposite the side of the house considered to be the front, unless otherwise designated on the subdivision plat. See "Rear Lot Line."

Lot Line, Side. Any boundary of a lot that is not a front or rear lot line.

Lot, Out. That portion of land of a plat which is usually located adjacent to a street or frontage road and not dedicated to serving the needs of the primary development for an additional and separate building or buildings in the development.

Lot of Record. A lot which was created by subdivision, the plat of which has been approved as required by applicable County, City, and State law and recorded in the Office of the County Recorder; or a parcel of land, the bounds of which have been legally established by a separate deed and duly recorded in the Office of the County Recorder. "Legally established" means not in violation of any County, City, or State subdivision regulations existing at the time the lot was established by deed. Also, a parcel described by a single deed containing more than one (1) metes and bounds description shall be one (1) lot of record unless the parcels described by separate descriptions have, in the past, been lawfully-established, separate parcels of record.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets. A through lot has a front yard on each abutting street, watercourse or lake. See also, "Through Lot" and "Double Frontage Lot."

Lot Width. The horizontal distance between side lot lines measured at the required front setback, parallel to the street.

Luminance. An objective measurement of the brightness of illumination, including illumination emitted by an electronic sign, measured in candles per square foot (cd/ft²).

Lux (Luces plural). Unit of illuminance in the International System of Units (SI) equal to one (1) lumen per square meter.

M

Maintenance. Cleaning, removing obstructions from, and making minor repairs to a drainage facility so that it will perform the function for which it was designed and constructed.

Major Drainage System. A drainage system that carries runoff from an area greater than or equal to one square mile.

Major Street. See "Collector Street" or "Arterial Street".

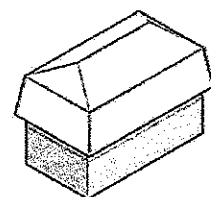
Major Subdivision. See "Subdivision, Major".

Maneuvering Space. An open space in a parking area that is:

- A. Immediately adjacent to a parking space;
- B. Used for and/or is necessary for turning, backing or driving forward a motor vehicle into such parking space; but
- C. Not used for the parking of or storage of motor vehicles.

Manhole. A storm sewer structure through which a person may enter to gain access to an underground storm sewer or enclosed structure.

Mansard Roof. A roof consisting of four sides that each have two slopes that join at the top to form a flat panel or apex.



Mansard Roof

Manufactured BMP. A structural BMP designed for stormwater quality treatment constructed of a combination of manmade materials at an off-site facility.

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:

- A. Consists of two (2) or more sections which, when joined, have a minimum dimension of 23 feet in width for at least 60% of its length;
- B. Has a pitched roof with a minimum rise of 2:12;
- C. Has wheels, axles, and towing chassis removed;
- D. Was constructed after January 1, 1981, and exceeds 950 square feet of occupiable space per; and
- E. 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.

See also Ind. Code §§ 22-12-2 through 5.

Manufactured Home Park. A parcel of land with required improvements and utilities containing two (2) or more dwelling sites that are leased for the long-term placement of Mobile Home Dwellings and/or Manufactured Home Dwellings. 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 Housing Construction and Safety Standards Code. Title IV of the 1974 Housing and Community Development Act (42 U.S.C. 5401, as amended, previously known as the federal Mobile Home Construction and Safety Act), rules and regulations adopted thereunder, which include HUD-approved information supplied by the home manufacturer, and regulations and interpretations of said code by the Administrative Building Council of Indiana.

Manufacturing, Artisan. An establishment, not exceeding 3,000 square feet of floor area, for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items.

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 ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, 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 or products involving flammable or explosive materials and processes. This definition shall not include any use that is otherwise listed specifically in a district or zone as a permitted or conditional use.

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

Manufacturing, Processing/Innovation. The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including but not limited to oils, plastics, resins, etc.

Map. A representation of the earth's surface, or any part thereof, in signs and symbols, on a plane surface, at an established scale, with a method or orientation indicated.

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.)

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.

Marquee. Any permanent, roof-like structure attached to and projecting beyond a building or extending along and projecting along the wall of a building, generally designed and constructed to provide protection from the weather.

Masonry. Brick, stone, cultured stone, or stucco materials.

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.

Medical – Clinic. A facility operated by one or more physicians, dentists, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis.

Medical Facilities. See "Health Care Facilities".

Medical Office. A building used exclusively by physicians, dentists, optometrists, and similar personnel for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.

Micro-Cell. A low power mobile radio service telecommunications facility used to provide increased capacity in high call-demand areas or to improve coverage in areas of weak coverage.

Microwave. Electromagnetic radiation with frequencies higher than 1,000 MGZ; highly directional signal used to transmit radio frequencies from point-to-point at a relatively low power level.

Mineral. Sand, gravel, rock, silica, peat, earth, clay, metallic and nonmetallic minerals, coal and other natural deposits.

Mineral Extraction. The on-site extraction of surface or sub-surface mineral products or natural resources. Typical extractive uses are quarries, borrow pits, sand and gravel operations, and mining operations.

Mineral Processing. The processing of minerals by processes and methods identified or employed in activities according to the Standard Industrial Classifications (SIC) as defined by the Occupational Safety and Health Administration of the United States Department of Labor for SIC Major Groups 10, 12, and 14 and SIC Descriptions 2951, 3271 and 3273.

Mini-Warehouse/Self Storage. A building containing separate, individual self-storage units for rent or lease. The conduct of sales, business, or any activity other than storage is prohibited within any individual storage unit.

Minor Drainage System. A drainage system that carries runoff from an area of less than one square mile.

Minor Modification. Any improvements to existing structures that do not qualify as a substantial modification, does not result in an increase to the fall zone to an extent that would result in a violation of the setback requirement and is eligible for administrative review and approval.

Minor Subdivision. See "Subdivision, Minor".

Mixed-Use Development. A mixed-use development is any development or project which features more than one primary land use type which is permitted within the district or zone where the development is located. Examples of mixed-use developments would be office and retail, office and residential, single-family and multi-family, etc. A mixed-use development may not be solely residential.

Mobile Home Dwelling. 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:

- A. 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
- B. Subsequent to or on June 15, 1976 and bears a seal, certifying that it was built in compliance with the Federal Mobile Home Construction and Safety Standards.

Mobile Home Space. A plot of ground within a mobile home park designated for the accommodation of one mobile home.

Mobile Home Stand. That part of an individual mobile home space that has been reserved for the placement of the mobile home, appurtenant structures, or additions

Model Home. A dwelling unit used temporarily for display purposes which typifies the type of units that will be constructed in the subdivision in which the dwelling unit is located and may contain a temporary sales office for the subdivision in which the dwelling unit is located.

Monopole. A single, freestanding pole-type structure supporting one or more Antenna. For purposes of this Ordinance, a Monopole is not a Tower.

Monument, Survey. Any permanent marker either of stone, concrete, galvanized iron pipe, or iron or steel rods, used to identify the boundary lines of any tract, parcel, lot or street lines.

Motel. A building or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door. See "Hotel".

Motor Home. See "Recreational Vehicle".

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

Movie Theater. See "Theater, Movie".

MS4. Municipal Separate Storm Sewer System as defined by 327 Ind. Admin. Code § 15-13-5 Sec. 5 (43).

Mulch. Nonliving organic and synthetic materials customarily used in landscape design to retard erosion, conserve moisture, prevent weeds from growing, and aid in establishing plant cover.

Multi-Unit Dwelling. Not less than three dwelling units in a building or a group of buildings.

Multi-Use Trail. An off-road facility with a permanent alignment that is open to the general public, and that is designed, constructed for a variety of non-motorized forms of travel including walking, hiking, biking, cross-country skiing or horseback riding.

Municipal Sewage Disposal System. See "Sewage Disposal System, Public".

Mural. A large picture/image (including but not limited to painted art) which is painted, constructed, or affixed directly onto a vertical building wall, which may or may not contain text, logos, photographs, pictures and/ or symbols.

Museum. A room or building for exhibiting, or an institution in charge of, a collection of books, or artistic, historical, or scientific objects.

N.

Nameplate. A nonelectric, on-premises identification sign giving only the name, address and/or occupation of an occupant or group of occupants.

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, a vertical control used as a reference for establishing varying elevations within the floodplain.

Noise Pollution. A level of noise which subjects those in close proximity to such decibel levels that impair their health, general welfare and enjoyment of their property for its intended use.

Non-boundary River Floodway. The floodway of any river or stream other than a boundary river.

Noncommercial Message. A sign which carries no message, statement, or expression related to the commercial interests of the sign owner, lessee, author or other person responsible for the sign message.

Nonconforming Building. A building, structure, or portion thereof that does not conform to the regulations of the district or zone in which it is located.

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

Nonconforming Sign. Any sign lawfully existing on the effective date of the Ordinance, or amendment thereto, that renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended Ordinance.

Nonconforming Use. See "Use, Nonconforming".

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

Non-Instrument Runway. A runway other than an instrument runway.

Non-Point Source Pollution. Pollution from any source other than from any discernible, confined, and discrete conveyances, including, but not limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal, dumping, and urban runoff sources.

Non-Stormwater Discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Non-Structural BMP. A BMP that is not constructed by physical means of land disturbance such as education, public information handouts, etc.

Not-for-Profit Corporation. An organization or activity which provides a public service not intending or intended to earn a profit, such as tax exempt 501(c)3 charitable and/or public benefit organization.

Notice of Violation. Notice issued by the Department of Community Development Services.

NPDES. National Pollution Discharge Elimination System.

Nursery. A place where plants are grown for sale, transplanting, or experimentation.

O.

Occupancy. The portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

Office Activity. The use of property for management, operations, professional, or administrative functions.

Office – Corporate. An establishment primarily engaged in providing internal office administration services as opposed to customer service in a single building or a campus setting; for example, the headquarters, regional offices or the administrative offices for a corporation. Generally, the majority of the traffic generated from corporate offices comes from employees and not the general public.

Office - Call Center. An establishment where people are employed to provide customer service by phone or computer or where data contained on computers is processed for consumption by a company.

Office – Medical. See “Medical – Office”.

Office - Professional Services. Professional or government offices including: accounting, auditing and bookkeeping services; advertising agencies; architectural, engineering, planning, and surveying services; attorneys; counseling services; court reporting services; data processing and computer services; detective agencies and similar services; educational, scientific, and research organizations; employment, stenographic, secretarial, and word processing services; government offices including agency and administrative office facilities; management, public relations, and consulting services; photography and commercial art studios; writers and artists offices outside the home. Does not include: medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use. Incidental offices that are customarily accessory to another use are allowed as part of an approved principal use.

Office, Warehouse, Distribution Center. A building primarily devoted to storage, warehousing, and distribution of goods, merchandise, supplies, and equipment. Accessory uses may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas. Also referred to as “flex space.”

Official Zoning Map. A map of the City of Greenwood, Indiana, that legally denotes the boundaries of the districts and zones 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 Commission and the Director and is located on file with the Department of Community Development Services.

Off-Site (Off-Premises). Outside the limits of the area encompassed by the tract area or the parcel of record on which the activity is conducted.

Off-Site Improvement. 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.

Off-Street Loading and Unloading Space. An open hard-surface area of land, other than a street, driveway, or public way, the principal use of which is for standing, loading and unloading of motor trucks, tractors and trailers or other motor vehicles, to avoid undue interference with the

public use of streets and alleys. Such space shall not be less than twelve (12) feet in width, thirty (30) feet in length for short berths and fifty (50) feet in length for long berths and fifteen (15) feet in height, exclusive of access aisles and maneuvering space.

Old Town Commercial Historic District. The Old Town Commercial Historic District is the area roughly bound by 172-332 West Main Street and 147-211 South Madison Avenue which was entered in the National Register of Historic Places on June 14, 1991.

On Site. Any premises located within the area of the property that is the subject of an application for development.

One- and Two-family Dwelling Code, Indiana. The mandatory statewide building code adopted by the Indiana Administrative Building Council for one- and two-family residential dwellings.

Open Drain. A natural or artificial open channel that carries surplus water and that was established under or made subject to any drainage statute or Ordinance.

Open Space. Total horizontal area of all portions of the lot not covered by buildings, structures, streets, parking areas or paved walkways.

Open Space, Common. A parcel or parcels of land or an area of water, or a combination of land and water within a Planned Unit Development (PUD) site designed and intended for the use or enjoyment of the occupants of the PUD. Common open space may contain such complimentary structures and improvements as are necessary and appropriate for the benefit and enjoyment of the occupants. Street rights-of-way, driveways, and parking lots, which directly serve dwellings or commercial buildings, shall not be counted toward area.

Open Space, Permanent. Parks, playgrounds, waterways, landscaped green space, and natural areas, not residential yard space surrounding dwelling units, and not including schools, community centers or other similar areas in public ownership.

Open Space, Usable. That portion of a zoning lot which is not covered by building or paved areas. For the purposes of this Ordinance, outdoor roof gardens, patios and decks may be counted, providing a maximum of 100 square feet per dwelling unit may be included as usable open space. Pools and other recreational facilities may be included in the usable open space provided that a minimum of thirty (30) percent of the usable open space must be devoted to landscaping.

Orchard. A total of 25 or more fruit trees growing on a single lot, or a total of 25 or more fruit trees within any single 10,000 square foot area for an economic gain.

Ordinance. Any legislative action, however denominated, of a local government which has the force of law.

Ordinary Maintenance. Ensuring that communications facilities and wireless support structures are kept in good operating condition. Ordinary maintenance includes inspections, testing and modifications that maintain functional capacity, aesthetic and structural integrity; for example, the strengthening of a wireless support structure's foundation or of the wireless support structure itself. Ordinary maintenance includes replacing antennas of a similar size, weight, shape and color and accessory equipment within an existing wireless communications facility and relocating the antennas of approved communications facilities to different height levels on an existing monopole or tower upon which they are currently located. Ordinary maintenance does not include minor and substantial modifications.

Original Parent Parcel. The lot prior to the utilization of the Sliding Scale Option subdivision method.

Ornamental Tree. A deciduous tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.

Outdoor Sales. The temporary use of an area near a business for storage and sales of merchandise related to a holiday, season of the year, or otherwise not offered annually.

Outdoor Display. The display of merchandise for immediate sale to the public. Display merchandise shall be located behind the setback lines and shall not be located on required parking spaces.

Outdoor Processing – Composting. An outdoor facility where organic matter that is derived primarily from off-site is to be processed by composting and/or is processed for commercial purposes. Activities of a composting facility may include management, collection, transportation, staging, composting, curing, storage, marketing, or use of compost.

Outdoor Processing - Concrete and Asphalt. The outdoor preparation of concrete and asphalt material for efficient shipment, or to an end-user's specifications.

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

Outfall. The point or location at which stormwater runoff discharges from a sewer or drain. The term also applies to the outfall sewer or channel which carries the storm runoff to the point of outfall.

Overhang. The horizontal distance that the roof projects beyond the story immediately below.

Overland Flow-way. Surface area that conveys a concentrated flow of stormwater runoff.

Owner. Any person or other legal entity having legal title to or significant proprietary interest in the land subject to a zoning determination under these regulations.

Owners Association. See "Condominium Association" and "Homeowners Association".

P.

Parapet. A low solid protective wall along the edge of a roof or balcony.

Parcel. Any legally described piece of land that may or may not be subdivided. Also known as a tract. See "Lot" and "Lot of Record".

Parent Parcel Remainder. The largest lot created under the Sliding Scale Option subdivision method.

Park. Land designated and used by the public for active and passive recreation.

Park. A natural or landscaped area, buildings, or structures, provided by a unit of government, to meet the active or passive recreational needs of people.

Parking Area. An open hard-surfaced area of land, other than a street, driveway, or public way, the principal use of which is for the storage (parking) of passenger automobiles or commercial vehicles under two-ton capacity by the public, whether for compensation or not, or as an accommodation to clients or customers.

Parking Area, Private. A private parking area is an open, hard-surfaced area, other than a public way or street, designed, arranged and made available for the storage (parking) of private passenger automobiles only, of occupants of the building or buildings for which the parking area is developed and is accessory.

Parking Area, Public. A public parking area is an open, hard-surfaced area, other than a public way or street, intended to be used for the temporary, daily, or off-street parking of passenger automobiles and commercial vehicles under one and one-half (1-1/2) tons rated capacity, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

Parking Lot. An impervious structure designed and designated specifically for temporary storage of motor vehicles in parking spaces, and for the movement into and out of those parking spaces not from a street.

Parking Space. An area, not including any part of a street or an alley, designed or used for the temporary parking of a motor vehicle.

Parking Space, Accessible. A space with dimensions and location that satisfy the Americans with Disabilities Act.

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, millings, 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, excluding curbs.

Peak Flow. The maximum rate of flow of water at a given point in a channel or conduit resulting from a particular storm or flood.

Pedestrian Scale. The inclusion of building design elements at the ground or street level and the relationship between building height and streetscape. Building design elements exclusive to the first and second building story (when greater than two (2)), or inclusion of streetscape elements such as trees, decorative lighting, and benches can help to create pedestrian scale.

Pediment. A crowning element used over doors, windows or niches.

Pennant. A triangular or irregular piece of fabric or other material, commonly attached in strings or strands, or supported on small poles intended to flap in the wind.

Performance Bond. An amount of money or other negotiable security paid by the subdivider, developer, or property owner or his/her surety to the City which guarantees that the subdivider will perform all actions required by the City regarding an approved plat or in other situations as stated forth in the Ordinance and/or as deemed by the 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.

Performance Guarantee. An amount of money or other negotiable security paid by the subdivider or his surety to the City, which guarantees that the subdivider will perform all actions required by the Governing Body regarding an approved plat, and provides that if the subdivider defaults and fails to comply with the provisions of any approved plat, the subdivider or his surety will pay damages up to the limit of the financial guarantee, or the surety will itself complete the requirements of the approved plat.

Performance Standard. A criterion or limit established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, and glare or heat generated by, or inherent in uses of land or buildings.

Perimeter Drain. A subsurface pipe network designed and installed around the perimeter of a septic field for the purpose of effectively collecting and draining away excess subsurface waters.

Perimeter Lot. A subdivision lot that either:

- A. Has a lot line that abuts the right-of-way of a street with a functional classification higher than "local" that either runs through or is located on the perimeter of the subdivision, or a frontage road located adjacent to such a street; or
- B. Is separated from the right-of-way of a street with a functional classification higher than "local" that either runs through or is located on the perimeter of the subdivision by a common area that is sufficiently deep to qualify as open space.

Perimeter Retaining Wall. A perimeter non-load bearing structural system completely enclosing the space between the floor joists of a manufactured or mobile home and the ground.

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

Permanent Open Space. See "Open Space, Permanent".

Permanent Perimeter Wall. An approved non-load-bearing perimeter structural system composed of a continuous solid or mortared masonry wall having the appearance of a permanent load-bearing foundation characteristic of site constructed homes, designed to support the loads imposed and extending below the established frost line.

Permit Authority. The City board, commission, or employee that, or who, makes legislative, quasi-judicial, or administrative decisions concerning the construction, installation, modification, or siting of wireless facilities or wireless support structures.

Person. An individual, firm, limited liability company, corporation or other business entity, association, fiduciary or governmental entity.

Personal Communications Services or PCS. Digital wireless telephone technology such as portable phones, pagers, faxes and computers. Such mobile technology promises to allow each consumer the same telephone number wherever he or she goes. Also known as Personal Communication Network (PCN).

Personal Care and Beauty Services. Establishments providing nonmedically related services, including beauty and barber shops; clothing rental; dry cleaning pick-up stores; laundromats (self-service laundries); psychic readers; shoe re- pair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided.

Personal Services. An establishment primarily engaged in providing services involving the care of a person or animal.

Pesticide. A chemical substance used to kill a plant or animal that is a nuisance or harmful to humans.

Pets. Animals defined as pets by the United States Department of Agriculture Animal and Plant Health Inspection Service.

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 City officials regarding the use and/or development of the subject real property. The term includes the petitioner's representative.

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 City officials regarding the use and/or development of the subject real property.

Pipe System. Two or more pipes connected together by one or more structures such as a manhole designed to convey stormwater runoff.

Plan. See "Development Plan".

Plan Commission. See "Commission".

Plan Commission Staff. The Planning Director and other persons the Plan Commission has employed to advise it on matters pertaining to planning and zoning.

Planning Director. The Director of the Planning Division, Department of Community Development Services, City of Greenwood, Indiana.

Plan, Drainage. Written narratives, specifications, drawings, sketches, written standards, operating procedures, or any combination of these, which contain information pursuant to the Stormwater Drainage and Sediment Control Ordinance.

Planned Unit Development. A Planned Unit Development is an area under single ownership or control to be developed in conformance with an approved PUD master plan, consisting of a map showing the development area and all improvements to the development area, a text which sets forth the uses and the development standards to be met, and exhibits setting forth any aspects of the PUD master plan not fully described in the map and text. The map, exhibits, and text constitute a PUD master plan. The uses and standards expressed in the PUD master plan constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for the underlying district or zone.

Plant Community. A natural association of plants that are dominated by one or more prominent species, or a characteristic physical attribute.

Plant Cultivation. Agricultural activity that entails the growing of plant material for agricultural sale. This also includes enclosed growing and plant germination.

Plant Material. Trees, shrubs, perennials, vegetative ground cover, and the like.

Plastics. Any of the various complex organic compounds produced by polymerization.

Plat. A map indicating the subdivision or resubdivision of land filed or intended to be filed for record with the County Recorder.

Plat, Preliminary. The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Commission for approval.

Plat, Primary. The primary plat, pursuant to Ind. Code § 36-7-4-700, is the plat and plans upon which the approval of a proposed subdivision is based. The primary plat and plans shall be subject to public notice and public hearing according to law and according to Commission rules.

Plat, Secondary. The secondary plat, pursuant to Ind. Code § 36-7-4-700, is the final plat document in recordable form. A secondary plat shall substantially conform with the preceding primary plat, or section thereof. The secondary plat and plans are not subject to public notices and public hearings.

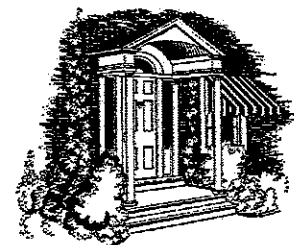
Pole Banner. A banner suspended above an area and attached to a single pole affixed at top and bottom.

Pollutant. A substance which causes or contributes to pollution, including, but not limited to, the following: any dredged spoil, solid waste, vehicle fluids, yard wastes, animal wastes, agricultural waste products, sediment, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological wastes, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, commercial and agricultural waste, or any other contaminant or other substance defined as a pollutant under the Clean Water Act.

Pollution. The human-made or human-induced alteration of the quality of waters by waste to a degree which unreasonably affects, or has the potential to unreasonably affect, either the waters for beneficial uses or the facilities which serve these beneficial uses.

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

Portico. A structure consisting of a roof supported by columns at regular intervals, located over an entrance or exit and typically attached as a porch to a building.



Post-FIRM Construction. Means construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

Power Generation Facility. A facility that converts one or more energy sources, including but not limited to water power, fossil fuels, nuclear power, or solar power, into electrical energy or steam. A power generation plant may also perform either or both of the following: (a) operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system; (b) operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers.

Power Substation Facility. An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public, provided that in residential zones or districts containing a residential use, an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, housing of repair crews, or office or place of business.

Pre-Existing Towers and Antennas. Any tower or antenna for which a permit has been issued prior to the effective date of these regulations and is exempt from the requirements of these regulations so long as the tower or antennas are not modified or changed.

Pre-FIRM Construction. Means construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

Preliminary Approval. An approval (or approval with conditions imposed) granted to a subdivision by the Commission after having determined in a public hearing that the subdivision complies with the standards prescribed in this Ordinance.

Preliminary Plat. See "Plat, Preliminary".

Premises. An area of land with its appurtenances and buildings that, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Primary Architectural Plane. That two-dimensional surface fronting along a street between grade and eaves.

Primary Area. The portion of a Historic District in which historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, squares and/or neighborhoods are located.

Primary Conservation Areas. Unbuildable land, including but not limited to, wetlands and land that is generally inundated (land under ponds, lakes, creeks, etc.); all of the floodway and floodway fringe within the 100-year floodplain; steep slopes; karst areas; and soils subject to slumping, expansion, or erosion.

Primary Plat. See "Plat, Primary".

Principal Building. A building or structure or, where the context so indicates, a group of buildings or structures, in which the principal use of a lot or parcel is conducted.

Principal Use. The main use of land or structures as distinguished from a subordinate or accessory use.

Private Street. A right-of-way which has the characteristics of a street, as defined herein, except that it is not dedicated to the public use. A driveway which is located on a lot and which serves only the use on that lot is not considered as a private street.

Private Through Street. A paved surface consisting of a roadway, driveway, parking lot or the like which carries vehicular traffic from a dedicated public street to a dedicated public street.

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

Public Health & Safety Facilities. Facilities operated by public agencies including fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

Public Improvement. Any drainage ditch, street, highway, parkway, sidewalk, pedestrian-way, tree, lawn, off-street parking area, lot improvement, 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.

Public Parking Area. An open area, other than a street or alley designed for use or used for the temporary parking of more than four motor vehicles when available for public use, whether free or for compensation, or as an accommodation for clients or customers.

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

Public Safety and Nuisance. Anything which 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, river, bay, stream, canal, or basin.

Public Space. Facilities such as public roads, parks, pathways, and open space corridors. May also be facilities owned privately but open to the public, such as Homeowner Association pathways connected to larger networks. Common areas serving commercial and multi-family developments are also considered to be public space.

Public Use Airport or Heliport. An airport or heliport, whether private or publicly owned, which the owner or persons having a right of access and control invite, encourage or allow flight operations by the general public without prior authorization, designated as a "Public Use Airport" or "Heliport" on the Airspace District Zoning Map, for which an Airspace District is established by this Ordinance.

Public Utility. Any person, firm or corporation duly authorized to furnish electricity, gas, steam, telephone, cable or other data, and water or sewerage systems to the public under public regulation.

Public Utility Installation. The erection, construction, alteration, or maintenance by public utilities, municipal department commissions or common carriers of underground, surface or overhead gas, oil, electrical, steam, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith, by public utility or municipal departments, commissions, or common carriers, for the public health or safety or general welfare.

Q.

Qualified Geologist. A person who has met or exceeded the minimum geological educational requirement and who can interpret and apply geologic data, principles, and concepts and who can conduct field or laboratory geologic investigations.

R.

Radius of Curvature. The length of radius of a circle used to define a curve.

Ranch Style Home. Single-story, single-family, detached home.

Reach. Any length of watercourse, channel or storm sewer.

Rear Lot Line. The lot line opposite the front lot line. On a corner lot, the rear lot line shall be opposite the side of the house considered to be the front, unless otherwise designated on the subdivision plat. See "Lot Line, Rear."

Rear Yard. See "Yard, Rear".

Record Drawing. Drawing prepared, signed, and sealed by a professional engineer or land surveyor representing the final "as-built" record of the actual in-place elevations, location of structures, and topography, all of which shall be submitted in CAD.

Recording Secretary. For the purposes of this Ordinance, the Recording Secretary shall be the person employed and delegated the responsibility of recording and writing minutes and transcripts of the proceedings of Plan Commission and/or Board of Zoning Appeals public hearings.

Recreational Area. A place designed and equipped for the conduct of sports and leisure time activities.

Recreational Area or Facility. An outdoor facility, which may include an accessory clubhouse, provided as part of a residential development that is owned and maintained by the owners' association or property owner primarily for the use of the residents of the development, and which is also accessible for use by the public through associate membership subscription or user fees. The term includes community golf courses, swimming pools, tennis courts, basketball courts, and the like.

Recreational Facility, Indoor. Theaters, bowling alleys, health clubs and other similar recreation uses owned and operated by a private entity, which the principal use is located within a building, but excluding any sexually oriented business.

Recreational Facility, Outdoor. A use of land for recreational purpose, either public or private, where such use requires no structure for the principal activity. Related functions such as changing rooms or restrooms, and maintenance may be housed in buildings or structures. Uses so defined shall include but not be limited to golf courses, outdoor tennis courts, and swimming pools, but shall not include uses such as miniature golf, bungee jumping, amusement parks or other similar commercial recreation uses.

Recreational Vehicle. A vehicle which is:

- A. built on a single chassis;
- B. 400 square feet or less when measured at the largest horizontal projections;
- C. designed to be self-propelled or permanently towable by a light duty truck; and
- D. designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

Recycling Facility. A building or area where recyclable material only is collected, sorted, and processed, prior to shipment for remanufacture into new materials at a separate facility.

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 in the State of Indiana or, through reciprocity, permitted to practice in the State of Indiana.

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

Regulated Area. All of the land under the jurisdiction of the Stormwater Management Board.

Regulated Drain. See "Legal Drain".

Regulatory Flood. 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 Section 10-02-31 D. of this Unified Development Ordinance. The "Regulatory Flood" is also known by the term "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

Release Rate. The amount of stormwater released from a stormwater control facility per unit of time.

Religious Assembly. A site used by a bona fide religious group primarily or exclusively for religious worship and related religious services, including a place of worship, retreat site, or religious camp.

Replacement. Removing the pre-existing wireless support structure and constructing a new wireless support structure of proportions and of equal height or such other height that would not constitute a substantial modification to a pre-existing wireless support structure in order to support a wireless communications facility or to accommodate collocation.

Replat. A subdivision or plat, the site of which has heretofore been platted or subdivided with lots or parcels of land. It may include all or any part of a previous subdivision or plat.

Research and Development Center. Facilities for research including laboratories, experimental equipment and operations involving compounding or testing of materials or equipment. Any facility that is determined by health, fire, or building official to be a hazard or nuisance to adjacent property or the community at large, due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor, or vibration, or the danger of fire, explosion, or radiation is not to be included in this category.

Research Facility/Laboratory. A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Residence. A structure in which a person lives.

Responsible Party. Any person, firm or corporation that uses property in violation of this Ordinance or knowingly permits another person, firm or corporation to do so.

Restaurant. A building or portion of a building where food and drink is served for consumption in the building, and where provisions may be made for serving food on the premises outside the building. Also see "Eating and Drinking Establishment".

Restaurant, Drive-thru Service. An establishment where food and drink are prepared, served and consumed by customers who are given the option of dining within the indoor dining area, the outdoor seating area or via a service window and Drive-thru lane to customers in motor vehicles who will be consuming the food off-premises.

Restaurant, Pick-up or Delivery Only. An establishment preparing food to the general public in which the food, once prepared, is either picked up for consumption off-premises, or is delivered to the end user by the restaurant staff.

Restrictive Covenant. Limitations of various kinds on the usage of lots or parcels of land within a subdivision which are proposed by the subdivider, and, in the case of public health, safety and welfare, by the Commission, that are recorded with the plat and run with the land.

Resubdivision. A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line, or setback; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Retail Activity. The use of property for the sale of goods, including, but not limited to, alcoholic beverage sales, furniture and home furnishings, electronics and appliances, clothing and shoes, jewelry, luggage and leather goods, sporting goods and hobbies, books, periodicals and music, tobacco sales, department stores, florists, office supplies and stationary, gifts and novelties, pets, hardware, pawn shops, video stores and auto parts.

Retail - Large A retail establishment >25,000 GFA engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of such goods. Bulk retail involves a high volume of sales of related and/or unrelated products in a warehouse setting and may include membership warehouse clubs (i.e., "big box" retail). Bulk retail is differentiated from general retail by any of the following characteristics: items for sale include large, categorized products (e.g., lumber, appliances, household furnishings, electrical and heating fixtures and supplies, whole- sale and retail nursery stock, etc.) and may also include a variety of carry-out goods (e.g., groceries, household, and personal care products).

Retail - Medium Establishments of 10,000-25,000 GFA engaged in the sale or rental of goods for consumer or household use. Any medium retail use where packaged food is sold must devote not less than 500 square feet to fresh produce sales.

Retail - Pharmacy. An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

Retail - Shopping Center - Community. A center that typically offers a wider range of apparel and other soft goods than the neighborhood center does. Among the more common anchors are supermarkets, super drugstores, and discount department stores. Community center tenants sometimes contain off-price retailers selling such items as apparel, home improvements/furnishings, toys, electronics, or sporting goods. The center is usually configured as a strip, in a strip line, or "L" or "U" shape. Of the eight center types, community centers encompass the widest range of formats. For example, certain centers that are anchored by a large discount department store refer to themselves as discount centers. Others with a high percentage of square footage allocated to off-price retailers can be termed off-price centers.

Retail - Shopping Center - Outlet. Usually located in rural or occasionally tourist locations, outlet centers consist mostly of manufacturers' outlet stores selling their own brands at a discount. These centers are typically not anchored. A strip configuration is most common, although some are enclosed malls, and others can be arranged in a "village cluster."

Retail - Shopping Center - Power Center. A center dominated by several large anchors, including discount department stores, off-price stores, warehouse clubs, or "category killers" (i.e., stores that offer tremendous selection in a particular merchandise category at low prices). The center typically consists of several freestanding (unconnected) anchors and only a minimum number of small tenants.

Retail - Shopping Center - Regional. A center that provides general merchandise (a large percentage of which is apparel) and services in full depth and variety. Its main attraction are anchors: traditional, mass merchandise, or discount department stores or fashion or specialty stores. A typical regional center is usually enclosed with an inward orientation of the stores connected by a common walkway and parking surrounds the outside perimeter.

Retail - Small Establishments of 0-10,000 GFA engaged in the sale or rental of goods for consumer or household use; excluding, however, animal sales or service; building materials and/or supplies, sales, or rental; and food sales or markets. Typical uses include sale of consumer goods or art or craft objects, flower shops, gift shops, and boutiques. Any small retail use where packaged food is sold must devote not less than 250 square feet to fresh produce sales.

Retail Use. Uses involved in the sale, lease, or rental of new or used products.

Retention. The permanent on-site storage of stormwater.

Retention Pond. A retention basin is designed so that a specified volume is stored indefinitely (retained), and it does not typically have an outlet to adjoining watercourses other than an emergency spillway.

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

Return Period. The average interval of time within which a given rainfall event will be equaled or exceeded once.

Reverse Channel Letters. Individually mounted opaque, internally backlit letters which illuminate the wall or surface to which they are attached.

Reverse Frontage. A lot which has a pair of opposite lot lines along two substantially parallel streets and which is not a corner lot. On such lot, both street lines shall be deemed front lot lines, but in the case of two or more continuous lots, there shall be a common front lot line.

Ridge. The line of intersection at the top between the opposite slopes or sides of a roof.

Ridgeline. A line marking or following the ridgetop.

Ridgetop. The crest of the ridge.

Right-of-way. A strip of land occupied or intended to be occupied by a street, pedestrian way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, special landscaping, or for other special uses. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, screening or special landscaping, or any other use involving maintenance by a public agency shall be dedicated to public use by the subdivider on whose plat 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 10 feet in width from the top of banks.

Riparian Conservancy Areas (RCA). An area of Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways unless modifications are deemed necessary to improve drainage.

Rise Pit. A spring characterized by an upwelling of water, which may be permanently flowing or intermittent.

Road. See "Street".

Roadside Produce Stand. Establishment engaged in the retail sale of local fresh fruits and vegetables and having permanent or temporary structures associated with such use.

Roadway Drainage. The runoff and drainage located within 20 feet of the edge of pavement of public and/or private roadways adjacent to, abutting, or within the boundaries of the property to be addressed in a proposed Stormwater Management submittal.

Roadway Width. The paved area of a street measured from back of curb to back of curb.

Roof and/or Building Mount Facility. A low power mobile radio service telecommunications facility on which antennas are mounted to an existing structure on the roof (including rooftop appurtenances) or building face.

Roof Line. In the case of a flat roof, the uppermost line of the roof of a building; in the case of a pitched roof, the midpoint of between the roof eave and the ridge of the roof exclusive of cupola, pylon, chimney or other minor projections.

Roof Ridge. The roof ridge is the top horizontal edge of a pitched roof.

Runoff. The waters derived from melting snow or rain falling within a tributary drainage basin that exceeds the infiltration capacity of the soils of that basin.

Runoff Coefficient. A decimal fraction relating the amount of rain which appears as runoff and reaches the storm drainage system to the total amount of rain falling. A coefficient of 0.5 implies that 50 percent of the rain falling on a given surface appears as stormwater runoff.

Runway. The surface of the airport used for landing and taking off of aircraft.

S.

Sale or Lease. Any immediate or future transfer of ownership, or any possessory interest in land, including contract of sale, lease, devise, intestate succession, or transfer, of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map, lease, devise, intestate succession, or other written instrument.

Sales Office. A trailer, model home, or the like used as a showroom or office for the sales of homes.

Same Ownership. Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

School - College/University. An institution other than a trade school that provides full-time or part-time education beyond high school.

School – Primary. A public, private, or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the state.

School – Secondary. A public, private, or parochial school offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools of the state.

School – Trade. A school established to provide for the teaching of industrial, clerical, managerial, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum.

Screening. Landscaping or a fence, wall or similar structure, or combination thereof, designed and established to shelter, protect or hide one use or property from another, possibly incompatible, use or property.

Seasonal Sales. Temporary display and sale of items customarily associated with a particular season, such as Christmas trees, holiday decorations, firewood; pumpkins, or any other similar product for sale during a recognized holiday.

Secondary Area. The portion of a Historic District which surrounds the primary area and which the control of the development or the change of which is necessary or desirable to the preservation of the primary area of the Historic District.

Secondary Conservation Areas. Land otherwise buildable under local, state, and federal regulations but placed under a conservation easement.

Secondary Plat. See "Plat, Secondary".

Secretary. The secretary of the Commission, who shall be the Director unless the Commission takes official action to designate another person to act as secretary.

Section 1316. The 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 Administration 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.

Sectionalizing or Phasing. A process whereby an Applicant seeks final approval on only a portion of a plat which has been granted preliminary approval.

Sediment Basin. A barrier or dam built at suitable locations to retain rock, sand, gravel, silt, or other materials.

Sediment. Soil material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site or origin by air, water, or gravity, as a product of erosion.

Seismograph. An instrument which measures vibration characteristics simultaneously in three mutually perpendicular planes. The seismograph may measure displacement and frequency, particle velocity, or acceleration.

Self-Service Storage Facility. A building or group of buildings consisting of individual, small, self-contained units that are leased or owned for the storage of goods.

Self-Support Tower. A communication tower that is constructed without guy wires and ground anchors.

Semi-Tractor. A motor vehicle designed and used primarily for drawing or propelling trailers, semi-trailers, or vehicles of any kind and are registered with a semi-tractor license plate.

Semi-Trailer. 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.

Senior Living Facility. Any building or portion thereof which is designed, built, rented, leased or let to contain three or more age-restricted (55 or older) dwelling units or apartments on a single lot, or which is occupied as a home or place of residence by three or more age-restricted (55 or older) families living in independent dwelling units.

Services Involving Specified Sexual Activity or Display of Specified Anatomical Areas. Any combination of two or more of the following activities: (1) the sale or display of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representation which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; (2) the presentation of films, motion pictures, video cassettes, slides, or similar photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons; (3) the operation of coin- or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas; (4) live performances by topless or bottomless dances, go-go dances, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas; (5) the operation of a massage school, massage parlor, massage therapy clinic; (6) body painting/tattoo studio or nude modeling studio.

Setback. The perpendicular distance between a building and the nearest street right-of-way line or property line regardless of whether it is the front, side or rear of the building.

Setback, Interior Side Yard. An open-space area between the interior side lot line and the required interior side setback line, extending between the front setback line and the rear setback line.

Setback, Side Yard. An open space on each side of a building and on the same lot with the building situated between the building and the side line of the lot and extending between the front yard and the rear yard. Any lot line, other than the rear lot line and the front lot line, shall be deemed a side line.

Setback Line. A line within a lot which is generally parallel with and measured from the lot line (property line), defining the limits of a yard in which no structure may be located above ground, except as allowed otherwise in the Greenwood City Code. Setback lines are more specifically described as front yard, side yard and rear yard setbacks. See "Yard".

Setback, Side Yard, Street-Facing. A side yard setback that directly fronts on a street.

Sewage. The water-carried waste derived from ordinary living processes, including, but not limited to, human excreta and waste water derived from water closets, urinals, laundries, sinks, utensil washing, washing machines, bathing facilities or similar facilities or appliances.

Sewage Disposal System. Any arrangement of devices and structures used for receiving, treating, disposing or storing of sewage.

Sewage Disposal System, Private. Any sewage disposal system not constructed, installed, maintained and operated and owned by a municipality, a taxing district or a corporation or organization possessing a "Certificate of Territorial Authority" issued by the Indiana Utilities Regulatory Commission and established for that purpose. A private sewage disposal system is typically an individual sewage disposal system that may be either a subsurface septic system or mound septic system that is surface constructed of material brought to the site.

Sewage Disposal System, Public. Any conduit for sewage constructed, installed, maintained, operated, owned or defined as a public sewage disposal system by a municipality, taxing district or a corporation or organization possessing a "Certificate of Territorial Authority" issued by the Indiana Utilities Regulatory Commission and established for that purpose.

Shade Tree. A tree, usually deciduous, planted primarily for its high crown of foliage or overhead canopy.

Shaft. A vertical-sided pit of any diameter that extends downward more than a few feet.

Sheet Flow. Drainage of water over plane surfaces at a very shallow depth, usually under one inch.

Shooting Range – Indoor Only. An indoor facility designed and developed to provide for the safe firing of firearms or archery equipment.

Shopping Center, Business Park, Office Park, Industrial Park, or Other Grouping. A project of one or more buildings that has been planned as an integrated unit or cluster on property under unified control of ownership at the time that zoning was approved by the City.

Shopping Center. A group of commercial establishments planned, constructed and managed as a total entity, with customer and employee parking provided on-site, provisions for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

Short-Term Lodging Agreement. An agreement under which rooms are provided for a fee, rate, or rental, and are occupied for overnight lodging or habitation purposes for a period of less than 30 days.

Shrub. A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.

Side Lot Line. A lot boundary line other than a front or rear lot line. See also, "Lot Line, Side."

Sign. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. The definitions of various types of signs that are set forth in this Ordinance may not be interpreted as a limitation on the scope of the foregoing definition of "sign".

Sign, Abandoned. A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

Sign Area. The entire area within a regular geometric form or combination of such forms comprising all the display area of the sign or any object which attracts attention to be drawn towards the sign. Signs which are made of individual letters shall be calculated by measuring the total vertical distance by total horizontal distance of such letters. Structural supports shall not be included in the sign area calculation provided that the structural support is not an integral portion of the sign.

Sign, Awning. A sign that is painted, stamped, perforated, stitched or otherwise applied on the surface of an awning. The awning sign area shall be calculated the same as other signs except internally or backlit awning signs shall be calculated as the entire awning surface which is allowing light to pass through that portion of the awning.

Sign, Banner. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Sign, Billboard. A billboard sign is a large outdoor advertising display, typically located in high-traffic areas like roadsides or city centers, used to present large advertisements to pedestrians and drivers. These signs can be static, featuring a single permanent message, or digital, displaying multiple ads in rotation

Sign, Changeable Copy. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Ordinance.

Sign Clearance. The smallest vertical distance between the grade, grade of the adjacent street or street curb, and the lowest point of any sign, including framework and embellishments, extending over that grade.

Sign Copy. The wording or any graphic illustrations on a sign surface either in permanent or removable letterform.

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

Sign, Double-Faced. A sign having two display surfaces, not necessarily displaying the same copy, which are usually parallel and back-to-back and not more than 24 inches apart. When the display surfaces of a double-faced sign are not parallel, the interior angle created by said surfaces shall not exceed 90° and the two surfaces shall not be more than 24 inches apart at the apex of said angle.

Sign, Exempt. Any sign not subject to normal permit regulations.

Sign, Externally Illuminated. A sign that is illuminated by an external source of light intentionally directed upon the sign face.

Sign Face. The area of a sign on which the copy is placed or that draws attention to the sign.

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

Sign, Freestanding. Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Sign, Governmental. Traffic or other civic signs, signs required by law or emergency, railroad crossing signs, legal notices, and any temporary, or non-commercial signs as are authorized under policy approved by the County, State, or Federal government.

Sign, Ground. Any sign other than a pole sign in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

Sign Height. The vertical distance measured from the highest point of the sign face to the grade of the adjacent street or the surface beneath the sign.

Sign, Identification. A monument or sign identifying a multi-family dwelling complex, a single-family subdivision or a mobile home park by name and/or address.

Sign, Illegal. A sign which does not meet the requirements of this Ordinance and which has not received legal nonconforming status.

Sign, Indirectly Illuminated. A sign illuminated with a light directed primarily toward such sign, including back lighted signs, and so shielded that no direct rays from the light are visible.

Sign, Inflatable. An inflated object tethered or otherwise attached to the ground, structure or other object, but excluding hot air balloons that are temporarily tethered in connection with their imminent flight. This definition includes, but is not limited to inflated representations of blimps, products, cartoon characters, animals and the like.

Sign, Internally Illuminated. A sign whose light source is either located in the interior of the sign so that the light goes through the face of the sign, or which is attached to the face of the sign and is perceived as a design element of the sign.

Sign, Legal Nonconforming. See "Legal Nonconforming Sign".

Sign, Maintenance of. The act of permitting a sign structure, or part of each to continue; or to repair, or to refurbish a sign, structure, or part of either.

Sign, Message Center. A type of illuminated, changeable copy sign that consists of electronically changing alphanumeric text.

Sign, Monument. A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as masonry or brick.

Sign, Multi-faced. If a sign has two display or advertising surfaces, the area of any face shall be no greater than 100% of the maximum area permitted for a single faced sign in the particular district or zone. Should a sign have more than two faces, the area of any single face shall be no greater than 50% of the maximum area permitted for a single faced sign, with a total maximum area no greater than 400 square feet.

Sign, Multi-Tenant. A freestanding sign used to advertise businesses that occupy a shopping center or complex with multiple tenants.

Sign, Nonconforming. See "Nonconforming Sign".

Sign, Off-Premises. A sign which directs attention to a business, commodity, service or entertainment not conducted, sold or offered on the premises where the sign is located, or which

business, commodity, service or entertainment forms only minor or incidental activity upon the premises where the sign is displayed.

Sign, On-Premises. A sign which advertises or directs attention to a business, commodity, or service conducted, offered, or sold on the premises, or directs attention to the business or activity conducted on the premises.

Sign, Painted Wall or Mural Sign. Any sign which is applied with paint or similar substance on the face of a wall. Art murals not related to commercial advertising are not considered signs and are not regulated by this Ordinance.

Sign, Permanent. A sign permanently affixed to a building or the ground.

Sign Permit. A document signed by the Department stating that a proposed sign has met with the general provisions of this Ordinance.

Sign, Pole. A freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

Sign, Projecting. Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve inches beyond the surface of such building or wall.

Sign, Roof. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Sign, Sandwich Board. A type of freestanding, portable, temporary sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians. Also known as A-frame sign.

Sign Structure. The structure to which a sign is affixed including the structural base or supports.

Sign, Temporary. Any sign that is intended to be displayed for a limited period of time and is not permanently anchored or secured to a building or not having supports or braces permanently secured to the ground, including but not limited to: banners, pennants, or advertising displays including portable signs.

Sign, Vehicular. A sign affixed to a vehicle in such a manner that the sign is used primarily as a stationary advertisement for the business on which the vehicle sits or is otherwise not incidental to the vehicle's primary purpose.

Sign, Wall. Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall or any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Sign, Window. Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

Single Housekeeping Unit. A single housekeeping unit may exist where the occupants of the unit enjoy common use and access to all living and eating areas, bathrooms, and food preparation and serving areas.

Single-Unit Attached Structure. A group of two (2) or more dwelling units attached by a wall, which is one or more stories in height, with each dwelling unit accessible by its own separate exterior entrance at grade level.

Single-Unit Detached Structure. A freestanding single-unit dwelling unit.

Single-Unit Dwelling. One dwelling unit within a single structure on a permanent foundation, where a dwelling unit refers to a single unit of residence for a household of one or more persons.

This use includes site-built housing or manufactured housing, herein defined as a dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at a building site, which meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. Sec. 5401), including single and double wide mobile homes and modular homes.

Sinkhole. Any depression in a karst area formed by the subsurface removal of soil or rock by erosion, dissolution or mass wasting (collapse, in part).

Sinkhole Cluster Area. An area containing two or more sinkholes located in close proximity, generally interconnected by groundwater conduits.

Sinkhole Eye. A visible opening, cavity, or cave in the bottom of a sinkhole, sometimes referred to as a swallow hole.

Site. A site is any lot or group of contiguous lots owned or functionally controlled by the same person or entity, assembled for development.

Site Depth. The horizontal distance between the front and rear property lines measured midway between the side property lines.

Site Development Plan. A detailed plan, prepared in accordance with Sec. 10-04-05 of the Greenwood Municipal Code, and submitted to the plan commission for approval, which illustrates the proposed development or alteration of a site. Site development plans are required for all uses except single-family residences, two-family residences, and manufactured homes in an approved park.

Site Width. The dimension of a lot measured between side lot lines generally running perpendicular to a street.

Small Cell Wireless Facility. (1) A personal wireless service facility (as defined by the Federal Telecommunications Act of 1996, as in effect on July 1, 2015); or, (2) a wireless service facility that satisfies the following requirements: (A) each antenna, including exposed elements, has a volume of three (3) cubic feet or less; (B) all antennas, including exposed elements, have a total volume of six (6) cubic feet or less; (C) the primary equipment enclosure located with the facility has a volume of seventeen (17) cubic feet or less. For purposes of part (2)(C) of this definition, the volume of the primary equipment enclosure does not include the following equipment that is located outside the primary equipment enclosure: electric meters; concealment equipment; telecommunications demarcation boxes; ground-based enclosures; back-up power systems; grounding equipment; power transfer switches; and cut-off switches.

Small Cell Network. A collection of interrelated small cell facilities designed to deliver wireless service.

Small Integrated Center. Small integrated center is any multi-tenant building primarily featuring commercial retail and service uses with less than 30,000 square feet.

Smoke. Small gas borne particles resulting from incomplete combustion, consisting predominantly but not exclusively of carbon, ash, and other combustible material, that form a visible plume in the air.

Social/Civic Club. A not-for-profit club that provides programming, space, or services for the community. The club shall not provide lodging, retail space, or commercial services.

Social Service Uses. Any community serving activity, other than those separately defined herein, conducted by a non-profit organization which provides a service to a segment of the community's population having particular needs as a result of specific circumstances, such as low income, illness, developmental disability, and the like.

Soil. All unconsolidated mineral and organic material of any origin.

Soil Erosion. The stripping of soil and weathered rock from land creating sediment for transportation by water, wind, or ice, and enabling formation of new sedimentary deposits.

Solar Farm. A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV) or other conversion technology, for the primary purpose of wholesale sales of generated electricity.

Solid Waste Transfer Station. A facility at which at least one of the following is located: solid waste incinerator, transfer station, solid waste baler, solid waste shredder, resource recovery system, composting facility, garbage grinding system, medical or an infectious waste treatment facility. The term does not include a facility or operation that generates solid waste.

Sound. An oscillation in pressure in air.

Special Exception. A use which may be permitted in certain zones subject to the conditions specified in this Ordinance.

Special Handling. Retail businesses that sell products that require special handling due to risks to public safety.

Specimen Tree. A particularly impressive or unusual example of a species due to its size, shape, age, or any other trait that epitomizes the character of the species.

Spectrum. Relating to any transmissions or reception of electromagnetic waves.

Stable. A structure and/or land use in or on which horses are kept primarily for breeding, boarding, training and/or giving lessons.

Standard Specifications and Details. The specification and details as approved and adopted by and for the City by the Board of Public Works and Safety.

State Acts. Such legislative acts of the State of Indiana as they affect these regulations.

State Plane Coordinates System. A system of plane coordinates, based on the Transverse Mercator Projection for the Western Zone of Indiana, established by the United States Coast and Geodetic Survey for the State of Indiana.

Steady State Vibration. A vibration which is continuous, as from a fan, compressor, or motor.

Stockyard. A facility where livestock is assembled for purchase, sale or auction. Livestock is defined as domestic or farmed animals raised for food and fiber such as poultry, hogs, sheep, cattle, and horses.

Storage, Bulk. The holding or stockpiling of material or products where such storage constitutes 40 percent of the developed site area and the storage area is at least one acre, and where at least three of the following criteria are met by the storage activity: (1) in a bulk form or in bulk containers; (2) under protective cover to the essential exclusion of other uses of the same space due to special fixtures or exposed to the elements; (3) in sufficient numbers, quantities, or spatial allocation of the site to determine and rank such uses as the principal use of the site; (4) the major function is the collection and/ or distribution of the material and/or products rather than processing; and (5) the presence of fixed bulk containers or visible stockpiles for a substantial period of a year.

Storage, Commercial Gases. A tank farm or outdoor facility for the storage of gases.

Storage, Contractor. An area used or intended for the storage of contractor materials, or vehicles and equipment not in service.

Storage - Self-Store Indoor. A building containing individual, self-contained units leased for storage of business, commercial, or personal goods and belongings accessible only from the inside of building.

Storage Facility, Outdoor. A building containing individual, self-contained units leased for storage of business, commercial, or personal goods and belongings accessible only from the outside of the building. In instances where storage units are accessible from the inside and outside of a building shall be considered an Outdoor Storage Facility for purposes of this Ordinance.

Storage, Vehicular and Boat. An area used or intended for the storage of vehicles and boats not in service.

Storage Yard. A parcel of ground used in whole or part for the storage of materials or equipment not including junk occupying more than 250 square feet of area which is clean, quiet and free of any objectionable or hazardous element.

Store, Drugstore or Pharmacy. A retail establishment for preparing, preserving, compounding and dispensing of drugs and medicines; and may include the display and sale of other merchandise such as cosmetics, notions, fountain service and similar items.

Storefront. The exterior façade of a building housing a commercial use visible from a street, sidewalk, or other pedestrian way accessible to the public and containing the primary entrance to the commercial establishment.

Store, Shopping Center. A group of retail, service, commercial, and restaurant establishments planned, constructed and managed as a single entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.

Storm Drain. A system of open or enclosed conduits and appurtenant structures intended to convey or manage stormwater runoff, groundwater, and drainage.

Storm Sewer. A closed conduit for conveying collected stormwater.

Stormwater Drainage System. Publicly owned facilities operated by the City or easements on private property by which water is collected and/or conveyed, including but not limited to, any roads with drainage systems, streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, ditches, swales, reservoirs and other drainage structures which are within the City and are not part of a publicly owned treatment works as defined at 40 CFR § 122.2.

Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from rains storm events.

Stormwater Management Plan. An engineered drainage plan that effectively addresses and manages stormwater runoff and discharge.

Stormwater Quality Management Plan. A comprehensive written document that addresses stormwater runoff quality within a municipal separate storm sewer system

Stormwater Runoff. The runoff and drainage of precipitation resulting from rainfall or snowmelt or other natural event or process.

Stormwater Runoff Facility. The method, structure, area, system, or other equipment or measures that are designed to receive, control, store, or convey stormwater.

Story. That portion of a building between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall be the story.

Straight Truck. A straight truck is any single vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more.

Stream. A river, stream or creek which may or may not be serving as a drain, or any other water body that has definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water.

Streamers. A display made of lightweight, flexible materials, consisting of long, narrow, wavy strips hung individually or in a series, with or without a logo or advertising message printed or painted on them and typically designed to move in the wind

Stream/vegetation Interface Line. The line where the unvegetated streambed meets streamside vegetation. Where plants are widely dispersed, this line shall begin where vegetation covers 75% of the ground plane.

Street. A public thoroughfare, including a road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare that affords vehicular access to abutting property.

Street, Classification. For the purpose of providing for the development of the streets, highways, and rights-of-way in the City, and for their future improvement, reconstruction, realignment, and necessary widening, including provision for curbs and sidewalks, each existing street, highway, and right-of-way, and those located on approved and filed plats, have been designated on the Official Map of the City or Thoroughfare Plan and classified therein. The classification of each street, highway, and right-of-way, is based upon its location in the respective district or zones of the City and its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan and/or its Thoroughfare Plan component. The required improvements shall be measured as set forth for each street classification on the Official Map.

Street, Dead-end. See "Dead-end Street"

Street Frontage. The distance along which a property line of a lot abuts the right-of-way of an adjacent street.

Street, Frontage. A local street or auxiliary road parallel to another thoroughfare for service to abutting property and adjacent areas, and for control of access.

Street, Local. A system of streets and roads that primarily provides local access service and access to higher order systems.

Street, Loop. A local street with both terminal points on the same street of origin.

Street, Private. A local street that is not dedicated or accepted for public use or maintenance, that provides vehicular and pedestrian access.

Street, Public. A street owned by or granted to and accepted by the proper governmental authorities.

Street Right-of-Way Width. The distance between property lines measured at right angles to the center line of the street.

Street Width. The shortest distance between the lines which delineate the right-of-way of a street.

Stripping. Any activity which significantly disturbs vegetated or likewise stabilized soil surface, including clearing and grubbing operations.

Strip Shopping Center. A commercial real estate development comprised of four or more retail or commercial stores situated side by side and generally facing a street or highway right-of-way. Any commercial real estate development comprised of less than four retail or commercial stores situated side by side shall be considered as being a "free standing building".

Structural Alteration. Any change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as the addition, removal, or alteration of bearing walls, columns, beams, girders, or foundations.

Structural BMP. A structure designed and constructed for the purpose of stormwater quality treatment.

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

Structure, Accessory. A detached subordinate structure, the use of which is incidental to that of the primary structure and located on the same lot therewith, such as, but not limited to storage sheds, gazebos, swimming pools, detached garages, decks, and satellite dishes. Fences shall be excluded from this definition.

Structure, Airspace. An object constructed or installed by man, including but without limitation, buildings, towers, smokestacks and overhead transmission lines.

Structure, General. Anything constructed or erected with a fixed location or attached to something having a fixed location. Among other things, structures may include, but are not limited to buildings, mobile homes, walls, fences, swimming pools, signs and towers.

Structure, Parking. Any building, or portion thereof, incidental to the primary use of the property, which is non-residential, and which is designed and used for the storage of the class I or class II vehicles belonging to the customers, employees or visitors of the property, but not for the storage of commercial vehicles.

Structure, Primary. A single structure which is the main or principal structure on the lot on which said structure is situated. See also "Principal Building".

Stucco. A mixture of lime or gypsum, Portland cement and water to produce a pastelike material, which sets to form a hard surface.

Studio – Gymnastics/dance/fitness. A facility devoted to the instruction of gymnastics, dance, fitness and martial arts for private lessons or classes open to the general public.

Subdivider. Any person or persons, firm or corporation engaged in developing or improving a tract of land which complies with the definition of a subdivision as defined in the Ordinance.

Subdivision. Any land, vacant or improved, which is divided or proposed to be divided, into two or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including re-subdivision. Subdivision includes the division or development of either residential or non-residential zoned land, whether by deed, metes and bounds description, or other recorded instruments.

Subdivision, Administrative. A subdivision of land that is specifically exempted from the preliminary and final plat approval procedures and requirements of the Subdivision Standards of this Ordinance.

Subdivision Agent. Any person who represents or acts for or on behalf of a subdivider or developer in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plat in a subdivision, except an attorney-at-law whose representation of another person consists solely of rendering legal services, and who is not involved in developing, marketing or selling real property in the subdivision.

Subdivision, Major. Any division of land including but not limited to subdivisions of five (5) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvements.

Subdivision, Minor. Any subdivision containing not more than four (4) lots in which all lots have at least 50 feet of frontage on an existing street that is an improved right-of-way maintained by the City (or other local government) or by a 50' wide access easement, and not involving:

Subdivision, Nonresidential. A subdivision intended for nonresidential use.

Subdivision Plat. See "Plat, Primary" and "Plat, Secondary".

Subdivision, Traditional. A subdivision utilizing the major, minor, or administrative subdivision methods established by these regulations rather than utilizing the Sliding Scale Option subdivision provisions.

Subject Property. The land, building or structure concerning which an application for a permit, certificate, review or other determination authorized by this Ordinance has been filed.

Substantial Modification of a Wireless Support Structure. The replacement of a wireless support structure and/or the mounting of a wireless facility on a wireless support structure in a manner that: (1) increases the height of the wireless support structure by the greater of: (A) ten percent (10%) of the original height of the wireless support structure; or, (B) twenty (20) feet; (2) adds an appurtenance to the wireless support structure that protrudes horizontally from the wireless support structure more than the greater of: (A) twenty (20) feet; or, (B) the width of the wireless support structure at the location of the appurtenance; (3) increases the square footage of the equipment compound in which the wireless facility is located by more than two thousand five hundred (2,500) square feet; or, (4) any improvement that results in a structure which fails to meet the General Standards and Design Requirements for Wireless Communication Facilities set forth in this Ordinance. The term does not include the following: (1) Increasing the height of a wireless support structure to avoid interfering with an existing antenna; (2) Increasing the diameter or area of a wireless support structure to: (A) shelter an antenna from inclement weather; or, (B) connect antenna to the wireless support structure by cable.

Subsurface Drainage. A system of pipes, tiles, conduits, or tubing installed beneath the ground surface used to collect groundwater from individual parcels, lots or building footings.

Sunroom. A sunroom is a structure, either attached or integrated into a building such as a home, restaurant, or office, which allows enjoyment of the surrounding landscape while being sheltered from adverse weather. Sunrooms that encroach into a required rear yard setback cannot be converted into a living, sleeping or conditioned space as defined by the International Residential Code.

Support Structure. Any structure designed and constructed specifically to support an Antenna Array, and may include a monopole, self-supporting (lattice) tower, guy-wire support tower and other similar structures. Any device used to attach an Attached WCF to an existing building or structure shall be excluded from this definition.

Support System (Foundation). A combination of footings, piers, caps, plates, and shims, which, when properly installed, support the manufactured or mobile home; footings being the part of the support system which transmit loads to the soil at or below the surface and the frost line; piers and caps being the part of the support system between the footing and the home, exclusive of plates and shims; plates and shims being the cushion of wood or other approved material, which are used to fill the gap between the top of the pier caps and the frame of the home.

Surface Drainage. A system by which the stormwater runoff is conducted to an outlet. The term encompasses the proper grading of parking lots, streets, driveways, yards, etc., so that stormwater runoff is removed without ponding and flows to a drainage swale, open ditch or storm sewer.

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.

Swale. A depressed earthen area designed to convey stormwater runoff with side slopes 5:1 or steeper and conveying no more than 10 cfs.

Swimming Pool, Private. A swimming pool used exclusively, without paying an additional charge for admission, by the residents and guests of a single household, a multi-family development, a community, the members and guests of a club, or the patrons of a motel or hotel; an accessory use.

Swimming Pool, Public. A swimming pool for the benefit of the general public, usually operated with a charge for admission; a principal use.

System. The communications transmission system operated by a service provider in the City.

T.

Tattoo Services. A parlor or retail service space whereby tattoo services are provided that comply with all regulations for tattoo services set forth by the State of Indiana.

Technical Advisory Committee. The Technical Advisory Committee of the Greenwood Advisory Plan Commission is a committee whose purpose is to make recommendations to the Greenwood Plan Commission concerning standards, design and impact upon streets, utilities, and other facilities for planned unit development proposals, subdivision plans, and development plans, and, upon request, to review and advise the Board of Zoning Appeals on variance requests or Special Exceptions, composed of the following members (or their delegates):

- A. City Engineer;
- B. Director (Chairman);
- C. Building Inspector;
- D. Chief of Police;
- E. Fire Chief;
- F. Street Superintendent;
- G. Sanitation Superintendent;
- H. Director of Parks and Recreation; and
- I. Any other persons deemed appropriate by the Plan Commission or the Director.

Telecommunications. The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

Telecommunications Act. The Communications Act of 1934, as it has been amended from time to time, including the Telecommunications Act of 1996, and shall include future amendments to the Communications Act of 1934.

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.

Temporary Accessory Structure. Portable on demand storage ("PODS") or other portable storage system intended for the temporary storage of good or materials.

Temporary Improvement. Improvements built and maintained by a subdivider during construction of the subdivision and intended to be replaced by a permanent improvement prior to release of the performance bond, or turnaround improvements at the ends of stub streets intended to be replaced when the adjoining area is developed and the through street connection made.

Temporary Structure. A structure designed, built, created or occupied for short and/or intermittent periods of time and shall include tents and other roofed structures or other supports used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes. For the purpose of this definition, "roof" shall include an awning or other similar covering whether or not it is permanent in nature.

Temporary Use. A use established for a fixed period of time, with the intent to discontinue such use upon the expiration of such time that does not involve the construction or alteration of any permanent structure.

Temporary Wireless Communication Facility. Any tower, pole, antenna, etc., designed for use while a permanent wireless facility is under construction, or for a special event or conference where a majority of people attending are wireless users.

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

Theater, Movie. A specialized theater for showing movies or motion pictures. The primary structural difference between a theater and a movie theater is the projection screen. However, many movie theaters can easily be adapted for stage performances and many stages have folding screens for movie projections. Although screen shapes are mostly rectangular, they come in a variety of shapes. Also, some special-purpose multimedia movie theaters use multiple screens, one on each wall face, or the entire ceiling surface, which are sometimes curved or geodesic in shape.

Thoroughfare. See "Street".

Thoroughfare Plan. A plan and/or maps adopted and amended by resolution of the Common Council as a portion of the Comprehensive Plan, in compliance with Ind. Code § 36-7-4-502 et. seq. The thoroughfare plan generally shows locations of functionally classified streets and roads, public facilities, utilities and desirable future infrastructure. The thoroughfare plan is approved, adopted and established by law and includes any amendments by the Governing Body as a continuous updating of the plan, including those resulting from the filing and approval of subdivision plats.

Through Lot. A lot having frontage on two parallel or approximately parallel streets. See also, "Lot, Through" and "Double Frontage Lot."

Tiled Drain. A tiled channel that carries surplus water and that was established under or made subject to any drainage statute or Ordinance.

Tower. A lattice-type structure guyed or freestanding, that supports one or more antennas.

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

Townhouse. One of several individual dwellings constructed with a common roof, front wall and rear wall.

Toxic Substance. Any gas, liquid, solid, semisolid substance or mixture of substances, which if discharged into the environment could, alone or in combination with other substances likely to be present in the environment, cause or threaten to cause bodily injury, illness, or death to members of the general public through ingestion, inhalation, or absorption through anybody surface. In addition, substances which are corrosives, irritants, strong sensitizers, or radioactive substances shall be considered toxic substances for the purpose of this regulation.

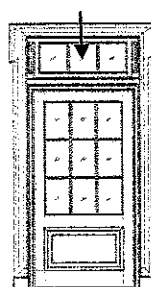
Trade, Business, or Commercial School. An educational facility which offers instruction specific to a trade, business, or commercial.

Traffic Control Devices. All signs, signals, markings and devices placed or erected by authority of the Governing Body, complying with the State Statute Manual of Uniform Traffic Control Devices.

Traffic Management Plan. A study and analysis of how a given use, plan or development will affect traffic in the surrounding area (circulation patterns, amount of vehicle trips generated, number of vehicles, etc.).

Transom Window. Windows that are typically rectangular-shaped windows located above a door frame or larger window that may be operable, meaning they can be opened and closed, or fixed.

Transom Window



Transparency. The portion of the building elevation that one can see through, such as a window or other glazing.

Travel Trailer. A vehicular, portable structure designed or used as a recreational dwelling, no more than 35 feet in length built on a chassis, having a body width not exceeding eight feet and designed to move on the highway, not under its own power.

Tree. A large, woody plant having one or several self-supporting stems or trunks and numerous branches; may be classified as deciduous or evergreen.

Tree Protection. Measures taken, such as temporary fencing and the use of tree wells, to protect existing trees from damage or loss during and after project construction.

Tributary. Contributing waters from upstream land areas.

Tri-Vision Boards. An outdoor unit with a slatted face that allows three different copy messages to revolve at intermittent intervals.

Truck Stop/Travel Plaza. A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers. They may also be utilized by non-truck traffic and the interstate traveler. Business activities which are customarily accessory and clearly incidental and subordinate to the truck stop or travel plaza, may include but not be limited to: scales, truck wash, tire repair and sales, barber shop, restaurant with or without alcohol service, shower facility, convenience store, truckers lounge (for services such as television/exercise/internet access etc.), motel/hotel, laundry, chain rental, vehicle fuel and consumer propane bottle dispensing. The facility may allow for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en-route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises. The term "truck" shall mean a commercial vehicle driven by a 'truck driver' who is required to have a Class "A" CDL (Commercial Driver's License) license or equivalent.

Truck Wash. An activity conducted for the purposes of cleaning class III or higher commercial vehicles, whether performed automatically, semi-automatically or manually.

U.

Under-drain. A buried slotted or perforated pipe or other conduit (subsurface drain) or a ditch (open drain) for carrying off surplus groundwater or surface water.

USACOE. The United States Army Corps of Engineers.

USPS. The United States Postal Service.

Use. The purpose for which a lot, building or other structure or tract of land may be designated, arranged, intended, maintained or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure on a tract of land.

Use, Accessory. A use subordinate to the primary use located on the same lot and which does not change or alter the character of the premises. Accessory uses may include, but are not limited to public utility communications, electric, gas, water and sewer lines, and their supports and incidental equipment.

Use, Nonconforming. Any use of land, building or structure which use is not permitted in the zone in which the use is located.

Use, Permitted. Any use of land, building or structure which use is permitted in the zone in which the use is located.

Utilities. Infrastructure services, including those basic utilities, and the structures necessary to deliver those services. Those services may be provided by a public or private agency. Examples include water, sanitary sewer, electricity, natural gas, and telephone.

Utilities, Major. Services of a regional nature that normally entail the construction of new buildings or structures such as generating plants and sources, electrical switching facilities, and stations or substations, community wastewater treatment plants, and similar facilities. Included in this definition are also electric, gas, and other utility transmission lines of a regional nature that are not otherwise reviewed and approved by the state. All overhead service, distribution and transmission lines are included in this definition. Major utilities require issuance of an improvement location permit.

Utilities, Minor. Services that are necessary to support development within the immediate vicinity and that involve only minor structures. Included in this definition are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations. Also included are wireless communication antennas attached to an existing building or structure, including but not limited to utility poles, signs, broadcasting or communication facilities, and water towers, and that do not increase the height of such building or structure by more than 10 feet. Minor utilities do not normally require issuance of an improvement location permit.

Utility Facility. Electrical switching facilities and primary substations, and other services which are necessary to support principal development and involve minor structures such as lines and poles. This use excludes power generating plants.

Utility Pole. A structure that is owned or operated by public utility, communications service provider, municipality, electric membership corporation, or rural electric cooperative and that is designed and used to carry lines, cables, or wires for telephony, cable television, or electrical transmission, or to provide lighting. The term does not include a wireless support structure or an electrical transmission tower.

Utility Structure. Any structure owned and/or operated by a public utility regulated by the Utilities Regulatory Commission (URC), excepting all WCF and/or Support Structures.

V.

Variance. A deviation from any term or standard contained in this Ordinance authorized by the Board of Zoning Appeals.

Vegetation, Native. Any plant species with a geographic distribution indigenous to all or part of Johnson County. Plant species that have been introduced by man are not native vegetation.

Vehicle Sales Area. An open area, other than a street, used for the display, sale or rental of new or used vehicles, including, but not limited to, trucks, recreational vehicles, boats, motorcycles, automobiles or trailers, and where no repair work is done except minor incidental repair of vehicles to be displayed, sold or rented on the premises.

Vehicle Service/Repair Facility. Facility where providing vehicular service is the primary use of the structure/ business. May require storage of vehicle outside for limited periods of time, any such areas shall be screened.

Vehicular Care Services, Major. General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding, and major painting service. This includes all automotive repair facilities.

Vehicular Care Services, Minor. The replacement and/or maintenance of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service. Above stated is applied to passenger automobiles and trucks not in excess of 7,000 pounds gross weight. This includes detailing services and carwashes.

Vehicular, Gasoline sales. Any lot or parcel of land or portion thereof used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquified flammable gas, or

flammable gas into the fuel tanks of motor vehicles and that includes a place where gasoline, motor oil, lubricants, or other minor accessories are re tailed directly to the public on the premises in combination with the retailing of items typically found in a convenience market or supermarket.

Vehicular Sales – Automobiles. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new motor vehicles, or used motor vehicles as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sales – Boats. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new boats or watercraft, or used boats or watercraft as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sales – Motorcycles. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new motorbikes or motorcycles, or used motorbikes or motorcycles as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Vehicular Sales - Recreational Vehicles. The use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental, or lease of new recreational vehicles or campers, or used recreational vehicles or campers as an ancillary use of a lot, and any warranty repair work and other repair service conducted as an accessory use.

Veterinary Clinic. A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

Viable. When referring to a tree, shrub, or other type of plant, is a plant that, in the judgement of the zoning inspector, is capable of sustaining its own life processes, unaided by man, for a reasonable period of time.

Vibration. A reciprocating motion transferred through the earth, both in horizontal and vertical planes.

Violation. The failure of a structure or other development to be fully compliant with this Unified Development Ordinance.

Visibility Triangle. A triangular space at the intersection of any two right-of-way lines (street and street, street and alley) or street and driveway, which is free of any kind of obstruction to vision between certain heights above the established grade, determined by a diagonal line connecting two points measured at a certain distance from the intersection along each right-of-way line. The distance included in the sight visibility triangle from the corner of the intersection along the right-of-way corresponds to the type of right-of-way as follows: 35 feet for a street; 25 feet for an alley; 20 feet for a private drive where it intersects with a public right-of-way.

Voluntary Abandonment of Nonconforming Use. Any cessation or interruption of a preexisting nonconforming use that is not necessitated by litigation or a dispute over the right to possession of property. However, any such interruption shall be considered voluntary unless the parties make a good faith effort to promptly resolve the dispute or terminate the litigation.

W.

Warehouse, Large. A facility 150,000 square feet and larger used primarily for the storage of goods and may include an office incidental to the primary use.

Warehouse, Small. A facility under 150,000 square feet used for the storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards and may include an office incidental to the primary use.

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

Water Quality Volume (WQV). The storage needed to capture and treat the volume of rainfall for 90% of the storm events which produce runoff in the watershed annually.

Watershed. See "Drainage Area".

Water Surface Elevation. The height, in relation to the North American Vertical Datum of 1988 (NAVD 88) or 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.

Wet Weather Spring or Rise. An intermittent emergence of underground waters through an opening in land.

Wetlands. Land characterized by the presence of water at a frequency and duration sufficient to support wetland vegetation or aquatic life.

Wholesale and Distribution Center. An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials to retailers, wholesalers, agents, brokers, and/or to industrial, commercial, institutional, or professional business users and may include an office incidental to the primary use.

Wildlife. Animals existing in their natural habitats.

Winery/brewery/distillery with On-Premise Consumption. A manufacturing plant designed to distill alcoholic spirits such as wine, beer, ale or liquor. On-premises individual sales and consumption of alcoholic drinks are allowed.

Wireless Communication. An all-encompassing definition; any towers, poles, antennas or other structures intended for use in connection with transmission or receipt of radio or television signals, or any other spectrum-based transmission/receptions.

Wireless Communications Facilities. Any unstaffed facility for the transmission and/or reception of wireless communications services, usually consisting of an antenna array, transmission cables, equipment facilities, and a support structure.

Wireless Support Structure. A freestanding structure designed to support wireless facilities. The term does not include a utility pole or an electrical transmission tower.

Wood. The wood of trees cut and prepared for use as an exterior building material.

Wood Products. Uncut trees suitable for construction are converted to lumber or lumber products by sawing, planing, or rotary cutting to produce standardized sizes of rough or dressed lumber.

Written Commitment. A condition of approval imposed upon the applicant by the Plan Commission, the Board of Zoning Appeals, or Common Council and recorded in the office of the Johnson County, Indiana Recorder.

X.

Y.

Yard. A space on the same lot with a principal building, such space being open, unoccupied and unobstructed by buildings or structures from ground to sky except where encroachments and accessory buildings are expressly permitted.

Yard Factor. The length in feet of a given yard (measured at the yard's mid-point, for a yard with varying width and depth) divided by 100, for the purpose of determining landscaping requirements.

Yard, Front. A yard as defined herein, encompassing the horizontal space between the nearest foundation of a building to the right-of-way line and that right-of-way line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the right-of-way line. See also "Yard, Street." No property shall have more than two front yards. Front yards shall face the roadways with the highest functional classification.

Yard, Rear. A yard, as defined herein, encompassing the horizontal space between the nearest foundation 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 that foundation to the rear lot line. See also Rear Yard.

Yard, Side. The area of a lot extending from the front yard to the rear yard and measured between the building and the side lot line.

Yard, Street. See "Front Yard".

Z.

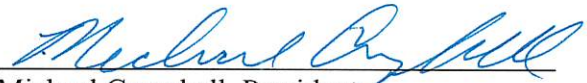
Zoning Map. See "Official Zoning Map."

Section 2. The Greenwood Plan Commission is hereby authorized to make the above described changes to the text of the Greenwood Unified Development Ordinance and to print and file two (2) copies of the amended Unified Development Ordinance in the Office of the Greenwood City Clerk to keep on file for public inspection.

Section 3. The sections, paragraphs, sentences, clauses, phrases and words of this ordinance are separable, and if any word, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a Court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this ordinance.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 19th day of May, 2025.

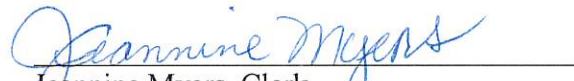

Michael Campbell, President
Greenwood Common Council

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 19th day of May, 2025 by the following vote:

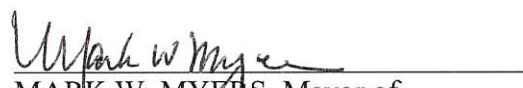
AYE: NAY:

Michael Campbell	☒	☐
Linda S. Gibson	☒	☐
Ezra J. Hill	☒	☐
J. David Hopper	☒	☐
Erin Kasch <u>Absent</u>	☐	☐
David Lekse <u>Absent</u>	☐	☐
Teri Manship	☒	☐
Steve Moan	☒	☐
Michael Williams	☒	☐

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 19th day of May, 2025, is presented by me this 20th day of May, 2025, at 8:00 o'clock A.m., to the Mayor of the City of Greenwood, Indiana.


Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 19th day of May, 2025, is approved by me this 20th day of May, 2025, at 8:00 o'clock A.m.


MARK W. MYERS, Mayor of
the City of Greenwood, Indiana