



12.1 Definitions

Aa The general rules of construction as set forth in Article 2.4 Interpretation & Application shall apply. Words used in a special sense in this Ordinance are defined below. All other words shall have the meaning inferred from their context in this Ordinance or their ordinarily accepted definitions.

Cc Aa

Dd **Abutting:** Bordering or contiguous.

Ee **Agricultural 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. Ff Example uses include, but are not limited to: slaughterhouses, mills, refineries, Gg canneries, coffee roasting, food processing, granaries, grain processing, Hh commercial hatcheries, poultry processing plants, fat rendering, manufacturing of commercial fertilizer, starch manufacturing, and milk processing plants or Ii other treatment of agricultural products which changes the naturally grown Jj product for consumer use.

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

Pp **Agritourism Use (or Agritainment Use):** An agriculturally-based operation or activity that brings visitors to an operational farm, and that may include, but is Qq not limited to, uses and activities such as: pumpkin patches, Christmas tree sales, animal interaction exhibits (i.e. petting zoo, pony rides), apple or strawberry Rr picking, seasonal or holiday activities (i.e. corn mazes, hay or wagon rides, straw Ss piles, haunted houses), family-oriented activities (i.e. bounce houses, pedal Tt cars, kiddie rides), creamery, vineyards, breweries, educational experiences or Uu tours, limited retail sales of products not produced on-site (i.e. country store, activity ticket sales), related beverage or food sales (i.e. tasting facilities, lunch Vv counters, dairy bar, refreshment or specialty food stands), and related ancillary uses and buildings.

Ww **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 Xx intended for use for related buildings and facilities located thereon.

Yy **Alley:** A Right-of-way which provides a secondary means of access to abutting Zz lands. An Alley is not a Street for purposes of this Ordinance.

14 numbered boxes for redaction, with the last two boxes highlighted in blue and yellow.



Alternative Transportation Plan: A plan which illustrates bicycle and pedestrian corridors throughout the Jurisdiction of the Plan Commission, as incorporated into the Thoroughfare Plan.

Applicant: A Property Owner or any person or entity acting as an agent on behalf of a Property Owner in an application made to the City in accordance with this Ordinance.

Art Studio: A work space for individuals practicing one of the fine arts or skilled in an applied art or craft that may include instrumental music, painting, sculpture, jewelry-making, weaving or other similar craft.

Arterial (Street), Primary or Secondary: A Street identified on the Thoroughfare Plan intended to carry large volumes of traffic to provide both intermediate and long distance trips across the community and utilizing traffic control devices to facilitate traffic flow and manage access here appropriate.

Assisted Living Facility: A facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contain four (4) or more living units; provide a combination of housing, support services, personalized assistance, and health care; and respond to needs of a person requiring assistance with the activities of daily living (i.e. dressing, grooming, bathing, food preparation) but do not require 24-hour skilled medical care.

Bb

Banner: A Sign possessing characters, letters, illustrations or ornamentations which are designed or intended to convey any identification, message or information other than an address number and which are applied to cloth, paper, plastic or fabric of any kind. A Banner shall not include: (i) plastic or fabric Signs which are permanently attached within a rigid frame which are intended to be used as a permanent Sign; or (ii) national flags, flags of political subdivisions and symbolic flags of any institution or business.

Banner, Ornamental: A Banner that uses any of a variety of images or colors of an ornamental or decorative nature, and that may display symbols, logos, emblems, letters (no more than three (3) per face of the entire display), and other graphic elements that do not include displays of on-premises or off-premises copy (i.e. words or other symbols, logos, emblems that may be construed as advertising).

Basement: That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

Beauty Salon: Any properly licensed and inspected establishment where cosmetology services (i.e. hair care, nail care, skin care) are provided on a regular basis for compensation.

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- Aa **Bed and Breakfast (B&B):** A residential building, typically a Single-family Dwelling with three (3) to five (5) guest rooms, that is occupied by an owner-operator providing lodging and breakfast accommodations to transient guests for compensation.
- Bb **Block:** An area of land bounded by Streets or by a combination of Streets and public land, Rights-of-way, Common Area, railroad rights-of-way, waterways, or any other barrier to the continuity of development.
- Cc
- Dd **Board:** The Westfield-Washington Township Board of Zoning Appeals.
- Ee **Boarding House:** A building where more than two (2), but fewer than twelve (12) rooms are provided for lodging for definite periods of times, in contradiction to a Hotel, Motel or Bed and Breakfast (B&B). Meals may or may not be provided, but there is one common kitchen facility. No meals are provided to outside guests. A Boarding House is a Multi-Family Dwelling for purposes of this Ordinance.
- Ff
- Gg
- Hh **Buffer Yard:** A strip of land together with improvements and plantings thereon intended to separate and visually screen uses or other visually obtrusive features of development in order to minimize conflicts and increase aesthetic compatibility without precluding connectivity between uses.
- Ii
- Jj
- Kk **Builder/Developer Directional Signage Offsite:** A Sign whose message is exclusively limited to guiding the circulation of motorists or pedestrians to a development.
- Ll
- Mm **Builder/Developer Directional Signage Onsite:** A Sign whose message is exclusively limited to guiding the circulation of motorists or pedestrians within a development to specific phases or Lots.
- Nn
- Oo **Builder/Developer Kiosk Directional Signage Onsite:** A Sign whose message is limited to guiding the circulation of motorists or pedestrians within a development to different builder’s sections or types of home products.
- Pp
- Qq **Builder/Developer Sequential Sign Collections:** A series of Signs, typically grouped together in a linear fashion, used for advertising or other informational purposes. Typically, the collective viewing of each sign in a proper sequence portrays a single message, but each individual Sign may portray an independent message.
- Rr
- Ss
- Tt **Building:** A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels or other property.
- Uu
- Vv **Building, Accessory:** A subordinate building or structure, the use of which is incidental to and customary in connection with the Principal Building or use and which is located on the same Lot with such Principal Building or use and is under the same ownership. Buildings which are portable and do not have permanent foundations are also classified as Accessory Buildings, but shall not require an Improvement Location Permit.
- Ww
- Xx
- Yy
- Zz **Building Code:** The various codes of the City that regulate construction as set forth in [Article 2.5 Building Code](#).

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- Building Commissioner:** The official designated by the Council, authorized to enforce the City’s Building Code.
- Aa Building, Detached:** A building having no structural connection with another building.
- Bb Building Facade:** That portion of any exterior elevation on a building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.
- Cc**
- Dd Building Facade, Front:** The Building Facade which is oriented towards and is most closely parallel to a Front Yard, and that Building Facade which contains a residence’s front door or a business’s primary public entrance.
- Ee**
- Ff Building Height:** The vertical distance measured from the lot ground level to the highest point of the roof for a flat roof (or the top of the parapet wall, if provided); to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs. [See also [Article 6.6 Height Standards.](#)]
- Gg**
- Hh**
- ii Building Setback Line:** A line parallel to a Right-of-way line, edge of a stream, or other Lot Line established on a parcel of land or Lot for the purpose of prohibiting construction of a building or structure in the area between such line and the Right-of-way, stream bank, or other Lot Line.
- Jj**
- Kk**
- Ll Building Permit:** An official document or certification that is issued by the Building Commissioner which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving, or repair of a building or structure. The Building Permit is part of the Improvement Location Permit.
- Mm**
- Nn**
- Oo Building, Principal:** A building in which is conducted the main or primary use of the Lot on which said building is located. Where a substantial portion of an ancillary building is attached to the Principal Building in a substantial manner, as by a roof, then such ancillary building shall be counted as a part of the Principal Building and not as an Accessory Building.
- Pp**
- Qq**
- Rr Building Separation:** The least distance between the walls of two (2) structures, regardless of whether they are located on the same Lot or parcel.
- Ss**
- Tt Cc**
- Uu Caliper:** A standard trunk diameter measurement for trees, taken six (6) inches above the finished grade for trees with a diameter of four (4) inches or less, and twelve (12) inches above the finished grade for larger sizes.
- Vv**
- Ww Campground:** A parcel of land used or intended to be used for temporary occupancy by campers, or for temporary occupancy by or of Recreational Vehicles, travel trailers, mobile homes, tents, cabins, or other temporary accommodations.
- Xx**
- Yy**
- Zz**

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- Aa **Carnival/Festival:** Carnival/Festival means a temporary and transportable activity, bazaar, or fair which celebrates or promotes a special occasion and may include but not be limited to any combination of crafts, exhibits, entertainment, games, rides, and display of items for sale or purchase.
- Bb **Cemetery:** Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.
- Cc
- Dd **Certificate of Compliance:** A document issued by signature of the Department certifying that a proposed development or property complies with the terms and provisions of this Ordinance; such certification shall not constitute a statement as to compliance of proposed building with this code. [See also [Article 10.4 Certificate of Compliance.](#)]
- Ee
- Ff
- Gg **Certificate of Occupancy:** A document signed by the Building Commissioner allowing the occupancy or use of a building or structure and certifying that the building, structure or use has been constructed or will be used in compliance with all the applicable codes and ordinances. [See also [Article 10.5 Certificate of Occupancy.](#)]
- Hh
- ii **City:** The City of Westfield, Hamilton County, Indiana.
- Jj
- Kk **Club, Civic:** Buildings and facilities, owned or operated by a corporation, association, person, or persons, for a social, educational, or recreational purpose, to which membership is required for participation, and not primarily operated for profit nor to render a service that is customarily carried-on as a business.
- Ll
- Mm **Club, Private:** Buildings and facilities owned or operated by a corporation, association, person or persons catering exclusively to members and their guests for social, intellectual, or recreational purposes that are conducted for profit; includes a lodge, swim clubs, etc.
- Nn
- Oo
- Pp **Collector (Street):** A Street identified on the Thoroughfare Plan intended for relatively low-speed and low-volume to provide for short trips intended for collecting trips from local streets and distributing them to Arterials.
- Qq
- Rr **Common Area:** Land identified on a Plat or Development Plan that is held in common or single ownership, typically by a homeowners’ or property owners’ association, which is designed and intended for the common use and enjoyment of the residents or tenants of the development and not reserved for the exclusive use or benefit of an individual tenant or Property Owner. Such areas may include complementary structures and improvements. Maintenance of such areas is forth by the development association, typically in the form of restrictive covenants guaranteeing the maintenance of these areas.
- Ss
- Tt
- Uu
- Vv
- Ww **Comprehensive Plan:** The [Westfield-Washington Township Comprehensive Plan](#), as adopted and amended in accordance with [I.C. 36-7-4-500 et seq.](#)
- Xx
- Yy **Condominium:** Real estate lawfully subject to [I.C. 32-25](#), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.
- Zz

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Aa Conservation Easement: An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition retaining such areas as suitable habitat for fish, plants, wildlife, or maintaining existing land uses.

Bb Council: The Common Council of the City of Westfield, Hamilton County, Indiana.

Cc Critical Root Zone (CRZ): A circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained in order for trees to remain healthy, and calculated at one (1) foot of radial distance per one (1) inch of tree Caliper, with a minimum of eight (8) feet.



Hh Cul-de-sac: A dead-end Street (public or private) with a single common ingress and egress at one end and one vehicular turnaround at the other end.

Dd

LI Decibel (dB): A unit of measurement of the intensity of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.

Mm Deciduous: A plant with foliage that is completely shed annually in early to mid autumn.

Oo Decorative Pole: A vertical, rigid support that is mounted to the ground, containing ornamental element(s).

Pp Department: The City of Westfield Economic and Community Development Department.

Rr Detention Area (or Detention Pond): An area of land, naturally or artificially designed, which stores stormwater on a temporary basis and releases it at a controlled rate. A Detention Area may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events.

Uu Developer: A person improving or proposing to improve a parcel of land and who may or may not be the Property Owner.

Vv Development: Any human-caused change to improved or unimproved land, including but not limited to: construction of new buildings or other structures; subdivision of land; the relocation of an existing building; the use of land; parking; fences; pools; Signs; Land Disturbing Activity; temporary uses; clearing of land; paving; mining; dredging; filling; grading; paving; excavation; drilling operations.

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Development Amenities: Neighborhood or development features that provide comfort, convenience, pleasure, and increased quality of life and may include, but are not limited to: Clubs, clubhouses, gyms, swimming pools, tennis courts, basketball courts, ballfields (soccer, football, etc.), walking/jogging/biking trails, picnic/barbecue group areas, playgrounds, volleyball courts, and racquetball courts; and related facilities and activities integrated into the development’s homeowners’ or property owners’ association.

Director: The Director of the City of Westfield’s Economic and Community Development Department and the official, designated by the Council, authorized to enforce this Ordinance.

District, Agricultural: Shall mean and refer to individually, or collectively, the Zoning Districts listed under “Agricultural Districts” in *Article 4.1 Establishment of Districts*.

District, Business: Shall mean and refer to individually, or collectively, the Zoning Districts listed under “Business Districts” in *Article 4.1 Establishment of Districts*.

District, Industrial: Shall mean and refer to individually, or collectively, the Zoning Districts listed under “Industrial Districts” in *Article 4.1 Establishment of Districts*.

District, Multi-family: Shall mean and refer to individually, or collectively, the Zoning Districts listed under “Multi-family Districts” in *Article 4.1 Establishment of Districts*.

District, Overlay: Areas of land delineated on the Zoning Map that overlap Zoning Districts and govern development and uses in context sensitive areas of the community as set forth in this Ordinance. [See also *CHAPTER 5: OVERLAY DISTRICTS*.]

District, Residential: Shall mean and refer to individually, or collectively, an Agricultural District, Single-family District and/or Multi-family District.

District, Single-family: Shall mean and refer to individually, or collectively, the Zoning Districts listed under “Single-family Districts” in *Article 4.1 Establishment of Districts*.

District, Zoning: Areas of land delineated on the Zoning Map subject to the terms and provisions of this Ordinance or which may hereinafter be created subsequent to the enactment of this Ordinance for which regulations governing the area, height, use of buildings, or use of land, and other regulations relating to development or maintenance of existing uses or structures, are uniform. [See also *CHAPTER 4: ZONING DISTRICTS*.]

Dripline: A vertical line extending perpendicularly from the ground to the outermost edges of a tree canopy or shrub branches.

Driveway: A private vehicular way, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel or Lot in which it is located. A Driveway is not a Right-of-way or Street (public or private).

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- Aa **Dwelling, Duplex:** A building containing two (2) Dwelling Units, each of which has direct access to the outside and each Dwelling Unit being a minimum of twenty-three (23) feet wide.
- Bb **Dwelling, Efficiency Unit:** A Dwelling Unit consisting of one (1) principal room, including sanitary, cooking, living, sleeping facilities, and/or dining alcove.
- Cc **Dwelling, Multi-family:** A Dwelling Unit located within a building typically designed to accommodate three (3) or more Dwelling Units or part of a mixed-use building with each Dwelling Unit living independently of another. Multi-family Dwellings include apartments, Condominiums, Group Homes, Boarding Houses, dormitories, etc., but does not include Quadraplex, Triplex or Townhouse Dwellings.
- Dd
- Ee **Dwelling, Quadraplex:** A building containing four (4) Dwelling Units, each Dwelling Unit being a minimum of twenty-three (23) feet wide.
- Ff
- Gg **Dwelling, Single-family:** A building containing one (1) Dwelling Unit being a minimum of twenty-three (23) feet wide, which does not share a common wall with any other Dwelling Unit and is surrounded on all sides by outside areas located on the same Lot (e.g., detached building).
- Hh
- Ii **Dwelling, Triplex:** A building containing three (3) Dwelling Units.
- Jj
- Kk **Dwelling, Townhouse:** A Dwelling Unit with a private entrance, which is part of a building with Dwelling Units attached in a linear arrangement, and having a totally exposed front and rear walls, used for access, light, and ventilation.
- Ll
- Mm **Dwelling Unit:** Any room or group of rooms located within a building, which forms a single habitable unit for occupancy for one (1) family unit and includes facilities that are used, or intended for use as living, sleeping, cooking, and eating accommodations.
- Nn
- Oo
- Pp **Ee**
- Qq **Easement:** A legal interest in land, granted by the Property Owner to another person or entity, which allows the use of all or a portion of the Property Owner’s land for the purpose stated therein, which may include but is not limited to: access, signage, landscaping, conservation, drainage, temporary construction, utilities, or other infrastructure.
- Rr
- Ss
- Tt **Economic Development Area:** Any redevelopment project area, economic development area, or urban renewal project area duly established by a Redevelopment Commission in accordance with Indiana law.
- Uu
- Vv **Educational Institution:** Public or parochial pre-primary, primary, grade, junior high, high, preparatory school or academy; junior college, college or university, if public or founded or conducted by or under the sponsorship of a religious or charitable organization.
- Ww
- Xx
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- Zz

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Aa Equestrian Facility: The use of land that is accessory to a permitted residential use on the Lot, for a horse, donkey, or mule facility operated for business purposes including, but not limited to: horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, pack stations, barns, stables, riding arenas (indoor or outdoor), corrals, and paddocks accessory and incidental to the above uses.

Bb Cc Evergreen: A coniferous or broad-leaved plant whose leaves remain throughout the year and are continually dropping and being replaced by new springtime growth.

Dd Ee Expressway (Street): A Street identified on the Thoroughfare Plan as a Primary Arterial 1, which is intended as a highway for through traffic with full or partial access control and a limited number of at-grade intersections.

Gg Hh Ff

Ii Family: One (1) or more persons occupying a Dwelling Unit and living as a single housekeeping unit, as distinguished from a group occupying a Hotel (or Motel), Boarding House, Residential Facility, Assisted Living Facility, Nursing Home, fraternity or sorority house.

Jj Kk Ll Farm Stand: A temporary structure, capable of being dismantled or removed, from which agricultural products (i.e. fresh fruits, vegetables, flowers, herbs, plants, pies, honey, jam, jelly) produced on the premises are seasonally sold.

Mm Nn Oo Fiber Cement Siding: A composite material made of cement, sand, cellulose fiber and various additives mixed with water and manufactured into an exterior siding material.

Pp Qq Rr Fixture, Light: The assembly that houses a lamp(s) and may include some or all of the following parts: an assembly housing, mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and a refractor or lens.

Ss Tt Floodplain: The channel proper and the areas adjoining any wetland, lake or watercourse that have been or hereafter may be covered by the base flood, which shall include both the floodway and the floodway fringe as shown on the Flood Insurance Rate Map (FIRM), as prepared by the National Flood Insurance Program by the Federal Emergency Management Agency (FEMA). [See also [Article 5.5 Floodplain Overlay District \(FOD\)](#).]

Uu Vv Floor Area, Gross: The sum area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Ww Xx Foot-candle: A unit of illumination produced on a surface, all points which are one foot from a uniform point source of one candle.

Yy Zz Frontage Road: A Right-of-way which runs near to and characteristically, but not necessarily, parallel to a limited access Right-of-way.

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Aa Garden and Lawn Center: A place of business or portion of a business where retail and wholesale products and produce are sold to the consumer and where most items sold are not produced on the Lot and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other lawn, garden and farm variety tools and utensils.

Dd Gasoline Service Station: Any building or land used for the retail sale of automobile fuels and lubricants and which typically includes fuel pumps and underground storage tanks.

Ff Glare: Light emitted by a luminaire at an intensity that causes a reduction in visibility, eye fatigue, or in extreme cases momentary blindness.

Gg Golf Course: A tract of land providing a private or public golf recreation area, including at least nine (9) holes, designed for executive or regulation play, and including supporting facilities as accessory uses (e.g., practice facilities, clubhouse, locker rooms, maintenance buildings, recreational facilities, related retail sales such as a pro shop and restaurant), but excluding miniature golf.

Jj Grade: The average level of the finished surface of ground adjacent to the exterior walls of the building.

Ll Groundcover: Ornamental plants growing less than two (2) feet in height at maturity and used as an alternative to grass.

Mm Group Home: The use of land and a building for the purposes as defined by [I.C. 31-9-2](#) and regulated by [I.C. 31-27-5](#), as amended.

Hh

Pp Home Business: An Accessory Use incidental and secondary to the use of a property as a Dwelling Unit and which use complies with the standards of the Zoning District in which the property is located and complies with the standards set forth in [Article 6.7 Home Business Standards](#).

Ss Home Garage Sales: The conducting of home rummage sales for the benefit of the family or a group of families.

Tt Hospice: A facility that provides inpatient support care and attends to the emotional, spiritual, social, and financial needs of terminally ill patients and their families.

Vv Hospital: An institution licensed by the State Board of Health and providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices which are an integral part of the facility, provided such institution is operated by or treatment is given under direct supervision of a licensed physician. Types of hospitals may include general, mental, chronic disease and allied special hospitals such as cardiac, contagious disease, maternity, orthopedic, cancer and the like.

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Hotel: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests; in contradistinction to a Boarding House.

Aa

Bb **ii**

Improvement Location Permit: A document signed by the Building Commissioner stating that a proposed Improvement complies with the provisions of this Ordinance. [See also [Article 10.8 Improvement Location Permit.](#)]

Cc

Improvement: Any building, structure, parking facility, fence, gate, wall, work of art, underground utility service, Land Disturbing Activity, or other object constituting Development, a physical alteration of real property, or any part of such alteration.

Ee

In-line Tenant: Any tenant within a multi-tenant building where each individual tenant has an exterior store front and public entrance for its patrons.

Gg

Industry, Extraction: The use of land for activities involving on-site extraction of surface or subsurface mineral products or natural resources and immediate processing of material. Example uses include: a quarry, outside salt storage, borrow pits, lumber yard, coal yard, sand and gravel operation, mining, soil mining, well drilling operations, milling (i.e. crushing, screening, washing and flotation) and other preparation customarily done at extraction site or as part of the extractive activity. Specifically excluded from this use are site development activities in preparation of infrastructure installation or vertical construction and Agricultural Uses.

Hh

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Mm

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Nn

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Oo

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Pp

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

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Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

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Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Ss

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Tt

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

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Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Vv

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

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Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

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Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Yy

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

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Industry, Light: Research and development activities, manufacturing, compounding, processing, packaging, storage, assembly, fabrication, processing, and/or treatment of finished or semi-finished products from previously prepared materials, which activities are conducted wholly within an enclosed building using processes that ordinarily do not create noise, smoke, fume, odors, glare or health or safety hazards outside of the building or Lot and shall not include any use that is otherwise listed specifically in this Ordinance. Example uses include, but are not limited to: leather products manufactured from finished leather; casket and casket supplies; crating and packaging service; exterminators; glass fabrication and installation; newspaper publishing; storage and transfer (household goods); manufacturing and/or assembly of storm doors, windows, awnings, siding, cabinets, can or containers, communication equipment, household appliances, marine equipment, office equipment and machinery, cloth products from finished cloth, furniture, glass and glass products, jewelry without retail, musical instruments, optical goods, paper boxes and paper products from finished paper, portable household appliances, electric hand tools, railroad equipment (including repair and service), recording instruments, tools, implements, machinery, mattress and upholstery, pharmaceutical, advertising and business signs, medicine and cosmetics; assembly operations of pre-manufactured parts, components; assembly, repair and manufacture of light component parts; taxidermist; machine, welding, tool and die shops; stamping and fabricating metal shops; tire recapping; malt products, brewery, distiller of liquor and spirits; bottling of alcoholic and non-alcoholic beverages; secondary food processing and packaging of products not produced on site.

Industry, Medium: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that otherwise may not constitute light manufacturing, and which may include open uses and outdoor storage that otherwise comply with this Ordinance. Example uses include, but are not limited to: creosote manufacturing and treatment; construction and manufacturing of outdoor advertising signs; manufacturing of cement, lime, or gypsum, detergents and soaps, boiler tanks and glue; concrete mixing, batch plant; production of concrete blocks, shapes, cinder blocks, etc.; malt products, brewery, distiller of liquor and spirits; manufacturing, engraving and sales of cemetery monuments and tombstones; structural steel fabricating; foundries; open hearths and blast furnaces; laundry and dry cleaning plants; leather curing and tanning.

Institutional Use: Educational Institutions, Religious Institutions, Public Safety and Service Uses, Parks and other similar uses, as listed under Cultural & Institutional Uses in [Article 13.2 Use Table](#).

Interested Party: Any persons requiring notice of a public hearing or meeting in accordance with this Ordinance, Indiana Code, the Rules of Procedure of the Plan Commission, the Rules of Procedure of the Board of Zoning Appeals, or other individuals or entities as deemed appropriate by the Director.

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Jj

Jj Jurisdiction of the Plan Commission: All land within Washington Township, Hamilton County, Indiana, and all land incorporated into the City of Westfield, Hamilton County, Indiana.

Kk

Kk Kennel: Any use of land on which four (4) or more dogs, or small animals (e.g., cats, rabbits, chickens), at least four (4) months of age are kept. A Kennel is not an Agricultural Use for purposes of this Ordinance.

Ll

Ll Lamp: A component of a luminaire that produces light. A lamp includes a bulb and its housing.

li Land Disturbing Activity: Any man-made change of land surface area, including clearing, cutting, excavating, filling, grading, or any other activity that alters land topography or vegetative cover, not including Agricultural Uses or gardening.

Kk Landscape Plan: A plan which depicts compliance with and meets the requirements of *Article 6.8 Landscaping Standards*.

Mm Landscaping: The improvement of land with a combination of living plants (i.e. grasses, shrubs, trees, and/or other plant materials) and nonliving materials (i.e. mounds/berms, rocks, mulch, walls, fences, and/or ornamental objects) designed and arranged to produce an aesthetically pleasing effect.

Oo Light Emitting Diode (LED): A semiconductor device that emits visible light when an electric current passes through it.

Qq Light Pollution: General sky glow which is caused by the scattering of artificial light in the atmosphere, caused by luminaries.

Rr Light Trespass: Light emitted by a luminaire that shines beyond the Lot Lines of a of the Lot on which the luminaire is located.

Ss Lighting Plan: A plan which depicts compliance with and meets the requirements of *Article 6.9 Lighting Standards*.

Uu Livestock: Domesticated animals such as horses, mules, ponies, dairy and beef cattle, sheep, goats, swine, poultry, and other similar animals which are kept for personal or Agricultural Use, or raised for sale and profit.

Ww Living Area: The floor area of a Dwelling Unit above the finished grade of a building, measured from the outside dimensions of the building's exterior walls, exclusive of Basements, open porches, breezeways, terraces, garages and exterior stairways.

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- Aa **Loading and Unloading Berths:** The off-street area required for the receipt or distribution by vehicles of materials or merchandise, which in this Ordinance is held to be a loading space measuring at least twelve (12) feet by forty-five (45) feet with a height clearance of fourteen (14) feet.
- Bb **Local Street (Local Road):** A Street which is intended for low-speed and low-volume to provide for vehicular access from Collectors through Subdivisions, neighborhoods and business areas to abutting property.
- Cc
- Dd **Lodging House:** A building where lodging only is provided for compensation to three (3) or more, but not exceeding twelve (12) persons, not open to transients, in contradistinction to a Hotel which is open to transients.
- Ee
- Ff **Lot:** A Lot of Record or a tax parcel described by metes and bounds or separately in a survey which is recorded in the Office of the Recorder of Hamilton County, Indiana.
- Gg
- Hh **Lot, Corner:** A Lot at the junction of and abutting two (2) or more intersecting Streets (public or Private Streets).
- ii **Lot Coverage:** A measure of intensity of land use that represents the portion of a site that is impervious (i.e. does not absorb water) and includes, but is not limited to all areas of a Lot improved by buildings, sidewalks, parking structures, Driveways, Street, Private Street, sidewalks, and any other area of concrete or asphalt.
- Jj
- Kk **Lot Depth:** The horizontal distance between the Front and Rear Lot Line, as measured in the general direction of the Side Lot Line.
- Ll
- Mm **Lot Frontage:** The length of the Front Lot Line.
- Nn **Lot, Interior:** A Lot other than a Corner Lot or Through Lot.
- Oo **Lot Line:** The property line bounding the Lot.
- Pp **Lot Line, Front:** A Lot Line abutting a Street (public or Private Street). A Through Lot and Corner Lot will have multiple Front Lot Lines.
- Qq **Lot Line, Rear:** The Lot Line that is opposite the Front Lot Line and farthest from it, except that for a triangular or other irregularly shaped Lot, the line ten (10) feet long, parallel to the Front Lot Line, and wholly within the Lot, that is farthest from the lot line. A Through Lot and Corner Lot may not have a Rear Lot Line.
- Rr
- Ss **Lot Line, Side:** A Lot Line other than a Front Lot Line or Rear Lot Line.
- Tt
- Uu **Lot of Record:** A Lot which is part of a subdivision, the plat of which has been recorded in the Office of the Recorder of Hamilton County, Indiana, or a parcel of land, the deed to which has been recorded in the Office of the Recorder of Hamilton County, Indiana, prior to the date of passage of this Ordinance.
- Vv
- Ww **Lot, Through:** A Lot having Lot Frontages on two (2) parallel or approximately parallel Streets (public or Private Street).
- Xx
- Yy **Lot, Width:** The dimension of a Lot, measured between Side Lot Lines on the Building Setback Line.
- Zz **Lumen:** A unit of measurement of luminous flux. One (1) foot-candle is equal to one (1) lumen per square foot.

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Luminaire: A complete lighting system, and includes the lamp or lamps and a Lighting Fixture.

Luminance: A level of light measured at a point on a surface.

Mm

Manufactured Home: A Dwelling Unit, designed and built in a factory after January 1, 1981, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 ([42 U.S.C. 5401 et seq](#)) and that exceeds twenty-three (23) feet in width and nine hundred fifty (950) square feet of Living Area.

Manufactured Home Park: A parcel of land which has been planned and improved for the placement of Manufactured Homes for residential use and complies with the minimum standards established by this Ordinance.

Masonry Material: Brick, limestone, natural stone, manufactured stone (e.g., Cultured Stone®), or a combination of the same, bonded together with a mortar to form a wall, buttress, or similar mass. Fiber Cement Siding is not a Masonry Material for purposes of this Ordinance.

Material Recycling Facility (MRF): A business or governmental unit that collects, separates, or otherwise processes solid waste secondary materials for which there is a generally accepted market for such products.

Mobile Home: A factory assembled Dwelling Unit that is transportable and intended for year around occupancy which exceeds thirty-five (35) feet in length and is designed either for transportation on highways or for temporary or permanent placement on a foundation on a Lot or in a mobile home park. This definition is not intended to apply to other modular housing or prefabricated housing panels, trusses, or other sub-elements, nor any other Dwelling Unit which is defined as a Manufactured Home by this Ordinance.

Model Home: A Dwelling Unit temporarily used for display purposes as an example of Dwelling Units available or to be available for sale or rental in a particular Subdivision or other residential development approved by the City. Model Homes may also incorporate sales or rental offices for Dwelling Units within the development and may include temporary trailers. [See also [Article 6.18 Temporary Uses and Events.](#)]

Motel: A building or a detached building used as dwelling units containing bedroom, bathroom and closet space, and each unit having convenient access to a parking space for the use of the unit’s occupants. The units, with the exception of the apartment of the manager or caretaker, are devoted to the use of automobile transients.

Motor Truck Terminal: Any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods, but excluding loading and unloading of freight accessory to an otherwise permitted use on the site.

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Aa Natural Areas: An area possessing one or more of the following environmental characteristics: steep slopes; floodplain; soils classified as having high water tables; soils that are subject to erosion; land incapable of meeting percolation requirements; Riparian Corridors; mature stands of Native Vegetation; aquifer recharge and discharge areas; wetlands and wetland transition areas; and Significant Wildlife Habitats.

Ee Nonconforming Building (or Nonconforming Structure): A Building, Structure, or portion thereof, which uses does not conform to the regulations of the Zoning District in which it is located. [See also [CHAPTER 11: ENFORCEMENT & PENALTIES.](#)]

Gg Nonconforming Use: A use which does not conform to the regulations of the Zoning District in which it is located. [See also [CHAPTER 11: ENFORCEMENT & PENALTIES.](#)]

Ii Nonconforming Sign: A Sign which does not conform to the regulations of this Ordinance, or any amendment thereto. [See also [CHAPTER 11: ENFORCEMENT & PENALTIES.](#)]

Kk Nonresidential Center: A building or combination of buildings containing three (3) or more tenants, stores, service establishments, offices or other permitted uses which are planned, platted, organized, or managed to function as a unified whole and shares one or more of the following: (1) vehicular access; (2) Parking Areas; (3) signage; (4) landscaping; or (5) design theme; and/or is platted as part of a Subdivision or coordinated shopping center, which may include Outlots for lease or for sale.

Oo Nonresidential Use, Individual: Any building or combination of buildings with a single tenant, store, service establishment, office or other permitted non-residential use and not part of a Nonresidential Center.

Qq Nursery: The use of land and buildings (e.g., greenhouse) for the growing or production of fruits, vegetables, flowers, nursery stock, including ornamental plants and trees, and cultured sod as a business activity that then sells as retail and/or wholesale only the plants that are grown on the Lot. This definition does not include Agritourism Uses or landscaping contractor uses [see Office, Construction Trade].

Uu Nursing Home: A facility licensed by the State Board of Health, which: (1) provides nursing services on a continuing basis; (2) admits the majority of the occupants upon the advice of physicians as ill or infirm persons requiring nursing services; (3) provides for licensed physicians services or supervision; (4) maintains medical records; and (4) may also provide other and similar medical or health service provided that no occupant requires physical restraint within the facility. A Nursing Home may include similar uses such as convalescent homes, maternity homes, rest homes, homes for the aged, and the like, if such use complies with the above criteria.

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Oo

Aa Octave Band: A narrow range of sound frequencies which classify sounds according to pitch. An Octave Band analyzer, an electrical device used with the sound level meter that sorts a complex noise or sound, divides the audible sound spectrum into eight (8) Octave Bands.

Cc Office, Construction Trade: Electrical contractors, general contractors or construction offices, home remodeling companies, septic system contractors, heating and cooling contractors, painting contractors, landscaping contractors, and plumbing contractor offices, and the like, where such use is typically characterized to include some or all of the following aspects: storage of product for sale or for installation, storage of materials related to the business, storage of equipment or other implements, office space, parking of company vehicles, service areas for equipment and vehicles, warehouse space, showroom space, and/or retail sales.

Ii Office, General Services: Employment services, temporary employment agency, investment firm, membership associations, secretarial service, consumer service offices, publishing corporate offices, reading clinic, service organization, title company, trade office, tailor or seamstress, interior decorator, philanthropic or charitable institution and travel agency, and the like.

Ll Office, Medical: Dental clinic, medical clinic, optical clinic, general physician's office, hospital (minor) and veterinarian clinic (small animals and no outdoor runs), related labs and the like.

Nn Office, Professional: An office used by members of a recognized profession such as accountants, architects, artists, Art Studio, engineers, lawyers, musicians, physicians, surgeons, pharmacists, and real estate or insurance agents and brokers.

Oo Open Space: Land used for recreation, resource protection, amenity, and/or screening. Open Space may include Natural Areas, Parks, Development Amenities, Recreational Facilities, railroad corridors, Buffer Yards, public art spaces, interpretative sites, and performing art spaces. Open Space does not include medians in Rights-of-way or any area of land included on a Lot used for another primary use such as residential or commercial. [See also [Article 8.6 Open Space and Amenity Standards.](#)]

Uu Outlot: A Lot within a Nonresidential Center that typically abuts a Street on one Lot Line and either a Street or other vehicular access (i.e. Private Street) shared with other Lots within the Nonresidential Center on another Lot Line.

Ww Outside Sales Display: An outdoor arrangement of objects, items, products, merchandise or other materials, that are placed, designed and/or used for the purpose of selling, advertising or identifying a business, product, or service.

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Outside Storage: The keeping of any material, merchandise, products, or equipment outside of a building or structure for a period greater than twenty-four (24) hours. Material or equipment being used in the development of a property or construction refuse, disposed of within fifteen (15) days, shall not be deemed Outside Storage.

Pp

Park: Land available for recreational, educational, cultural, or aesthetic use which is publicly owned or controlled for public use.

Parking Area: Any public or private land area designed and used for parking more than four (4) motor vehicles, and shall include garages, Driveways, Parking Spaces, drive aisles and areas of Streets legally designated for parking.

Parking Space: An area designed or used for parking a motor vehicle which complies with [Article 6.14 Parking and Loading Standards](#).

Plan Commission: The Westfield-Washington Township Advisory Plan Commission.

Plat: A map or chart indicating the subdivision of land, intended to be filed for record. [See also Plat, Primary and Plat, Secondary.]

Plat, Primary: The initial plat and plans upon which the approval of a proposed subdivision are based, pursuant to [I.C. 36-7-4-700 et seq.](#), and subject to review and approval in accordance with this Ordinance. [See also [Article 10.12 Subdivision](#).]

Plat, Secondary: The final plat document in recordable form, pursuant to [I.C. 36-7-4-700 et seq.](#), which shall substantially conform with the preceding Primary Plat, or section thereof and subject to review and approval in accordance with this Ordinance. [See also [Article 10.12 Subdivision](#).]

Polymeric Cladding: A siding material constructed of a natural polymer base combined with an inorganic mineral with a natural wood grain embossing, a minimum plank thickness of 0.22", and with an applied board exposure of at least 6-7/8" (e.g., Norandex Everlast™). Polymeric Cladding in not vinyl siding, Fiber Cement Siding or a Masonry Material for purposes of this Ordinance.

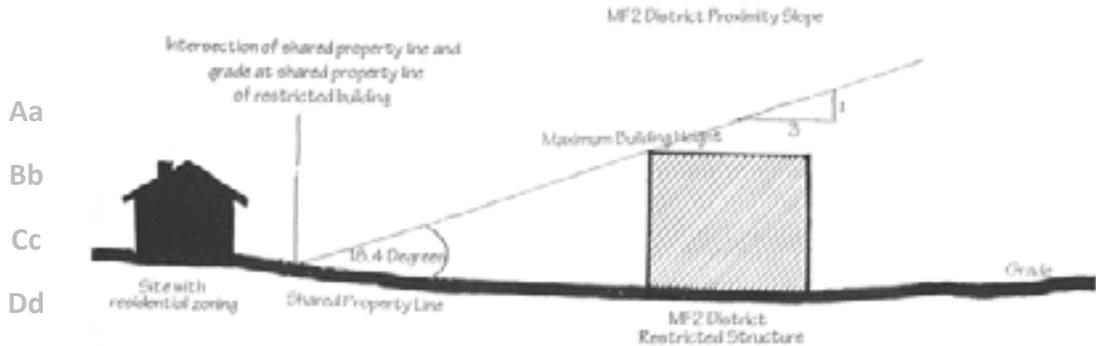
Premises (or Property): Premises means a Lot, parcel, tract or plot of land together with the buildings and structures thereon.

Property Owner: An individual, firm, association, organization, partnership, trust, company, corporation, or any other legal entity who owns, owns in part, or holds title to real property as shown on records of the office of the Hamilton County Recorder.

Proximity Slope: A plane projected upward and outward from the Lot Line at a specific angle or slope. The angle or slope is projected from the line formed by the intersection of the vertical plane extending up from the shared Lot Line and the grade at the shared Lot Line of the restricted building or structure.

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Public Safety and Service Use: Any use of land or building held, used, or controlled exclusively for public purposes by any department or branch of government, state, county, or municipal, without reference to the ownership of the building or of the property upon which it is situated and used by the public for the transaction of public or quasi-public business. Such uses shall include, but are not limited to: a city hall, fire station, license branch, library, police station, post office, public utilities. This use does not include Educational Institutions.

Public Sanitary Sewer: Any sanitary sewage system maintained by a governmental unit or a utility company that provides off-site treatment and disposal of sewage in which sewage is conveyed by interceptor to a treatment plant and disposed of through means approved by the State (as opposed to an individually owned septic sewer system).

Public Utility Installations: The erection, construction, alteration, or maintenance by public utilities, municipal departments, 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, reasonable necessary for the furnishing of adequate service by public utility or municipal departments, commissions, or common carriers, for the public health or safety or general welfare.

Qq

Rr

Recreational Facility, Commercial: A commercial use conducted for profit and open to the general public that offers active recreational and/or training opportunities and is predominantly conducted in enclosed or screened facilities. Commercial Entertainment Facilities may include, but are not limited to: arcades, bowling alleys, driving ranges, miniature golf, motorized cart tracks, motorized model airplane flying facilities, paintball, laser tag, batting cages, roller or ice skating rink, athletic training facilities (e.g., gymnastics, swimming, basketball, baseball, tennis) and trampoline facilities.

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Recreational Vehicle: Any boat, boat trailer, trailer, camping trailer, travel trailer, pick-up, coach, motor home or other unit built or mounted on a vehicle or chassis, without permanent foundation, which may legally be driven or towed by a motor vehicle on a highway.

Recycling Collector System: A commercial container utilized to collect one or more types of recyclable materials which does not include semi-trailers or single containers utilized by a commercial establishment conducting another business and located in or adjacent to the commercial facility.

Religious Institution: A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes church, synagogue, temple, mosque, or other such place for worship and religious activities.

Residential Facility: A residential facility for individuals with a developmental disability or mental illness meeting the requirements of [I.C. 12-28-4-7](#) and that otherwise complies with the Zoning District in which the facility is located.

Restaurant, Specialty: An establishment whose primary business is the sale of a single specialty type of food or beverage that is not considered a complete meal (e.g., bakery with seating, candy shop, delicatessen, custard stand, coffee shop, or ice cream parlor) and the sale of other food, beverages, or merchandise is incidental to the sale of the specialty food or beverage.

Restaurant, Sit Down: An eating establishment that offers full-service that typically includes most of the following characteristics: (i) turnover rates around one (1) hour; (ii) generally serve lunch and dinner, some serve breakfast, and some may be open twenty-four (24) hours; (iii) may accept reservations and patrons commonly wait to be seated; (iv) may offer as a secondary service call-ahead ordering and pick-up conveniences; (v) usually served patrons by a waiter/waitress; (vi) order from menus and patrons pay for their meal after they eat.

Restaurant, Fast Food: An establishment whose primary business is the sale of food prepared and available before an order is placed and typically includes most of the following characteristics: (i) the meal is paid for prior to consumption; (ii) patrons often order from a menu board, are served their food at a counter or in a motor vehicle in packages prepared to leave the premises or may be taken to a table or counter to be consumed; (iii) includes a high-volume drive-through facility. Example businesses include drive-in food and beverage establishments and restaurants or cafeterias having less than fifty percent (50%) of gross sales derived from food sales excluding drive-through.

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Restaurant, Takeout and Deli-style: An establishment whose primary business is the sale of food and/or beverages that are sold in a form ready for consumption either on or off the premises and typically includes most of the following characteristics: (i) food is typically prepared after ordering; (ii) food may be taken to a table or counter to be consumed; (iii) limited seating (indoor or outdoor) is typically available; (iv) may provide a low volume drive-through facility; (v) the majority of gross sales are derived from call-ahead ordering and/or sales transacted with the patron inside the establishment. Example businesses include pizza and sandwich shops.

Retail, High Intensity: Retail businesses that have a high impact on neighboring properties, traffic generation, and public safety. Example businesses include, but are not limited to: building finishes store (large), building supply store (large), department store (large), discount store (large), furniture store (large), grocery/supermarket (large), home electronics/appliance store (large), office supplies (large), sporting goods (large), superstore, variety store (large), auto and motorcycle service uses (e.g., parts sales, tire sales and/or repair, service garage, rust proofing, storage, car wash), pet-oriented businesses (e.g., pet shop, obedience schools, grooming), toy store (large). Generally, a business over twelve thousand (12,000) square feet qualifies as large for purposes of this definition.

Retail, Low Intensity: Retail businesses that have a low impact on neighboring properties, traffic generation, and public safety. Example businesses include, but are not limited to: art gallery, banks and savings and loans, bakery with limited seating, barber and beauty shop, book store (small), camera store, convenience store (small), craft gallery (small), drug store (small), dry cleaning pick-up, flower shop, gift shop, jewelry store, laundromats and self-service dry cleaning, mail order stores, meat market, news dealer and stationary stores. Generally, a business under eight thousand (8,000) square feet qualifies as small for purposes of this definition.

Retail, Medium Intensity: Retail businesses that have a moderate impact on neighboring properties, traffic generation, and public safety. Example businesses include, but are not limited to: antique shop, apparel shop, art and craft supplies, auto part sales, auto rental, bicycle shop, book store (large), boutique, building finishes store (small), building supply or hardware store (small), china and glassware shops, coin shop, computer sales, convenience store (large), craft gallery (large), department store (small), discount store (small), drug store (large), fabric shop and upholsters, furniture store (small), furrier shop, gift shop (large), golf/tennis pro shop, grocery/supermarket (small), hobby shops, home electronics/appliance store (small), locksmith shop, liquor sales, luggage store, music/media shop, musical instruments store, office supplies (small), pawn shop, printing and photocopying (small jobs), shoe sales and repair, sporting goods (small), tobacco shop, toy store (small), variety store (small). Generally, a business under twelve thousand (12,000) square feet qualifies as small for purposes of this definition.

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- Aa** **Retail, Special Handling:** Retail businesses that primarily sell products that require special handling due to risks to public safety. Example businesses include, but are not limited to: gun sales and hunting stores.
- Bb** **Retail, Very High Intensity:** Retail businesses that have a very high impact on neighboring properties, traffic generation, and public safety and that inherently operates in whole or part outdoors through sale, display or other general activities. Example businesses include, but are not limited to: vehicle and motorcycle sales (new or used), construction vehicle and trailer sales, farm equipment sales, farm implement sales and service, feed sales, heavy equipment sales, tool and light equipment rental, manufactured or mobile home sales, boat and trailer sales and service, travel trailer sales and rental, and semi tractor-trailer cleaning, service, rental, repair and sales.
- Cc**
- Dd**
- Ee**
- Ff**
- Gg** **Retention Area (or Retention Pond):** An area of land, naturally or artificially designed, intended to accept runoff from a developed site and discharge it at a limited rate. Flows exceeding the limited rate are stored until they can be released at the limited rate (when the runoff rate into the system drops below the limited rate). A specified volume is stored indefinitely (retained) until it is displaced by runoff from another storm stores stormwater on a permanent basis and which may or may not have an outlet to adjoining watercourses to release stored stormwater. Retention Areas may provide multipurpose uses such as recreational areas and Open Space.
- Hh**
- Ii**
- Jj**
- Kk**
- Ll**
- Mm** **Right-of-way:** An area of land not on a Lot for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines) that is dedicated or deeded to a governmental entity and under the control of a public agency for public use.
- Nn**
- Oo**
- Pp** **Ringelmann Number:** The number of the area on the Ringelmann Chart that most nearly matches the light-obscuring capacity of smoke. The Ringelmann Chart is described in the U.S. Bureau of Mines information Circular 6888, on which are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density of Ringelmann No. 1 shall be considered no smoke, or Ringelmann 0.
- Qq**
- Rr**
- Ss** **Riparian Corridor:** The strip of land lying along the sides of natural or man-made bodies of water, including land adjacent to river and stream corridors, but may also include land adjacent to lakes and ponds. Such land is often located within Floodplains and covered by dense vegetation.
- Tt**
- Uu**
- Vv**
- Ww**
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- Zz**

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Ss

- Aa **Salvage Yard:** Land on which personal property is or may be bought, maintained, sold, exchanged, stored, processed, or handled 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 base metal or metals, their compounds or combinations; machinery; used or salvaged rope, bags, paper, rags, glass, rubber, bottles, discarded goods, lumber, millwork, brick; used motor vehicles (including two (2) or more inoperable motor vehicles); machinery or equipment which is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom. Includes auto wrecking or shredding.
- Bb
- Cc
- Dd
- Ee
- Ff **School, Fine Arts or Commercial:** A facility which offers instruction specific to an art or other commercial purpose and is not publicly owned or owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization. Examples include, but are not limited to schools or academies teaching the arts for profit (e.g., language school, music school, dancing studio, photography school, cooking classes, karate studio).
- Gg
- Hh
- Ii
- Jj **School, Professional Trade or Business:** A facility which offers instruction specific to an trade or business and is not publicly owned or owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization. Examples include, but are not limited to vocational or industrial training facilities (e.g., culinary arts, barber and beauty schools, business and clerical schools, professional and technical schools, industrials schools and training facilities).
- Kk
- Ll
- Mm
- Nn **Screen:** Plants, berms, fences, walls, or any appropriate combination thereof used to visually obscure aesthetically unpleasing features of development or to reduce noise pollution.
- Oo
- Pp **Screen, Vegetative:** A Screen of vegetation with dense foliage.
- Qq **Shield:** Any attachment, which interrupts and blocks the path of light emitted from a luminaire or Fixture.
- Rr **Shielded, Fully:** A bulb is not visible within a shielded Fixture and no light is emitted from the top or sides of the Fixture. All light emitted from a Fixture is projected downward below a horizontal plane running through the lowest point of a Fixture where light is emitted.
- Ss
- Tt
- Uu **Shrub:** A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground.
- Vv **Sign:** Any display or device placed on a property in any fashion which is designed, intended, or used to convey any identification, message or information other than an address number.
- Ww
- Xx **Sign, Acreage For Sale:** A Sign announcing the sale, rental, or lease of land.
- Yy
- Zz

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- Aa **Sign Area:** The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction, or symbolism of the sign. Sign Area shall be computed as the smallest continuous rectangular figure that circumscribes a single sign display including writing, representations, emblems, logos or other displays, exclusive of the supporting framework, base, or structural bracing clearly incidental to the sign display.
- Bb
- Cc
- Dd **Sign Area Allocation:** The amount of permitted signage available to a particular use or tenant.
- Ee
- Ff **Sign, Awning:** Any advertising or display located on any non-rigid material that extends from the exterior wall of a building and is supported by or attached to a frame.
- Gg
- Hh **Sign, Center:** Advertising used to identify a Nonresidential Center, which may include individual tenant advertising.
- Ii **Sign, Construction:** A Sign directing attention to construction upon a property where the Sign is displayed, and bearing the name, address, or other identifier of the contractor, subcontractor, architect and/or development team.
- Jj
- Kk **Sign Copy:** The wording, logos, symbols, emblems, or graphic content of a Sign.
- Ll **Sign, Direction:** A Sign intending to direct the safe flow of vehicular and pedestrian traffic and includes "enter," "exit," and "arrow" signs.
- Mm **Sign, Election:** A Temporary Sign announcing or supporting candidates or issues in connection with any election or referendum.
- Nn
- Oo **Sign, Electronic:** A Sign or Sign component with a fixed or changeable display composed of a series of lights, including but not limited to light emitting diode (LED), that may be changed through electronic means.
- Pp
- Qq **Sign, Entrance:** Signs located at Nonresidential Centers which identify points of ingress and egress into the center.
- Rr **Sign, Flashing:** Any illuminated Sign which exhibits changing light or color effects.
- Ss
- Tt **Sign, Gas Price:** A Sign displaying only the price of gasoline.
- Uu
- Vv **Sign, Home Construction or Home Remodeling Sign:** A Temporary Sign used to advertise business entities conducting remodeling or construction work activities on a given parcel during the period that remodeling or construction activities are taking place on the given parcel.
- Ww **Sign Height:** The height measured from the natural grade elevation upon which the Sign is placed to the highest point of the Sign or sign structure.
- Xx **Sign, Illuminated:** A Sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper, or which is illuminated by reflectors.
- Yy
- Zz

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- Aa **Sign, Interior Circulation:** A Sign intending to direct the safe flow of vehicular and pedestrian traffic and includes "enter," "exit," and "arrow" signs. Interior Circulation Signs are not commercial way-finding signs.
- Bb **Sign, Monument (or Ground):** A Sign which is permanently fixed to the ground.
- Cc **Sign, Nonresidential Real Estate:** A sign announcing the sale, rental, or lease of nonresidential property.
- Dd **Sign, Nonresidential Special Event:** A Temporary Sign for a nonresidential entity, including businesses, charitable organizations, or not-for-profit corporations, which advertises grand openings, customer-appreciation events, public gatherings, and other similar events as determined by the Director.
- Ee
- Ff **Sign, Off-Premises:** A Sign directing attention to a specific business, product, service, entertainment, or any other activity offered, sold, or conducted elsewhere than upon the lot where the Sign is displayed.
- Gg
- Hh **Sign, Open House Directional:** A Temporary Sign used to advertise an open house and direct traffic to the house for sale.
- Ii **Sign Plane:** The flat area free of architectural ornamentation on the façade of a building or structure that is intended primarily for or can be utilized for displaying a Sign. For buildings in which the Building Facade is offset into multiple faces, only the face on which the Sign will be located shall be used for calculating the Sign Plane.
- Jj
- Kk **Sign, Pole:** A Sign which is supported by one or more poles, posts, or braces upon the ground, in excess of six (6) feet in height, not attached to or supported by any building.
- Ll
- Mm **Sign, Projecting:** A Sign attached to a building or wall and extending laterally more than eighteen (18) inches from the face of a wall.
- Nn
- Oo **Sign, Pylon:** A Sign constructed upon the ground on a solid foundation with the sign surface resting directly on top of such foundation and intended to identify multiple businesses.
- Pp
- Qq **Sign, Real Estate:** A Sign announcing the sale, rental, or lease of real property.
- Rr
- Ss **Sign, Residential Event:** A Temporary Sign utilized to advertise residential garage sales, yard sales, individual residential events, subdivision or neighborhood events and other similar events as determined by the Director.
- Tt
- Uu **Sign, Residential Real Estate:** A Sign announcing the sale, rental, or lease of residential property.
- Vv **Sign, Sandwich Board:** A portable Sign for display in front of a business for the specific use of advertising that business.
- Ww
- Xx **Sign, Special Event:** A Sign advertising or announcing a special community-wide event or activity conducted or sponsored by or on behalf of the City, Westfield-Washington Schools, a charitable organization or a not-for-profit corporation. A special community-wide event or activity is one that occurs not more than twice in any twelve (12) month period and seeks to attract donations, participants or customers throughout the City.
- Yy
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- Sign, Time and Temperature:** A Sign displaying only the current time and/or outdoor temperature.
- Sign, Under Canopy:** A Sign placed under a canopy or roof overhang to direct patron traffic to the store’s public entrance.
- Sign, Wall:** A Sign attached to and/or integral with an exterior wall or window surface of a building, the face of which is parallel to the surface.
- Sign, Window:** A Sign that is applied to or attached to the exterior or interior of a window or located in such a manner within a building that it is visible from the exterior of the building through a window, but excludes merchandise window display.
- Site Plan:** A drawing, including a legal description of property involved, which shows the existing and proposed location and size of the following: all buildings, structures and yards; location and dimension of Building Setback Lines and Easements; widths and lengths of all entrances and exits to and from said property; location of all adjacent and adjoining Streets, service facilities, and other improvements such as planting areas.
- Smoke Unit:** The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.
- Special Exceptions:** A use that requires a greater degree of scrutiny and review because of its potential adverse impact upon the immediate neighborhood and the community that is reviewed by the Board of Zoning Appeals for its characteristics and impacts to determine its suitability in a given location for the Zoning District in which it is permitted. [See also [Article 10.11 Special Exceptions.](#)]
- Stable:** An Accessory Building having stalls or compartments for the sheltering and feeding of Livestock.
- Stable, Private:** A Stable used for the private use, enjoyment and benefit of the property owner and their guests, but not for remuneration or hire.
- Stable, Public:** A Stable incidental to a business operation such as an Agritourism Use or Equestrian Facility.
- Stockyard:** An enclosure with pens, sheds, and other buildings or structures for the temporary keeping of livestock for slaughter, market, or shipping.
- Story:** That portion of a building, exclusive of a Basement, between the surface of any floor and the surface of any floor next above it; or, if there is no floor above it, then the space between such floor and the ceiling next above it.
- Story, Half:** That portion of a building under a sloping gable, hip or gambrel roof, the wall plates on at least two (2) opposite exterior walls of which are not more than three (3) feet above the floor level of such half-story.

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Street (or Road): Right-of-way designated for use by motor vehicles that is dedicated or deeded to a governmental entity and under the control of a public agency for public use. [See also [Article 8.9 Street and Right-of-Way Standards.](#)]

Street, External: A Street identified on the Thoroughfare Plan as an Expressway, Arterial or Collector.

Street, Internal: A Street or Private Street other than an External Street.

Street, Private: A vehicular way established in an access easement or common area affording access to abutting properties for private users of such property and constructed in accordance with this Ordinance and not controlled or maintained by a governmental entity. A Driveway is not a Private Street for purposes of this Ordinance. [See also [Article 8.9 Street and Right-of-Way Standards.](#)]

Structural Alteration: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any other substantial change in the exterior walls or the roof.

Structure: Anything constructed or erected which requires location on the ground or attachment of something having location on the ground.

Subdivision: The division of any parcel of land into two (2) or more parcels or Lots or, the combination of two (2) or more smaller parcels or Lots into one (1) Lot, for the purpose of transfer of ownership or development.

Subdivision, Major: Any Subdivision: (i) resulting in two (2) or more smaller Lots or parcels, at least one (1) of which is less than three (3) acres in area; (ii) the Subdivision results in two (2) or more smaller Lots or parcels, any of which front on or utilize a Private Street or easement for its only access; or, (iii) the Subdivision is for the purpose of Development (excluding cemeteries) and a Street is to be dedicated, reserved, or otherwise platted.

Subdivision Minor: A Subdivision along an existing Street, not involving the opening, widening, or extension of any Street (public or private), and involving not more than five (5) Lots, all of which are greater than three (3) acres, after the original tract has been completely subdivided.

Tt

Tavern (or Nightclub): A commercial establishment dispensing alcoholic beverages for consumption in the premises in which the service of food is only incidental to the consumption of such beverages. Example businesses include bars, sports bars, billiard parlors, micro-brewery, taverns, night clubs, comedy clubs, dance clubs, bottle clubs, and similar facilities.

Temporary: A period of not more than ten (10) consecutive calendar days and not to exceed a period of time totaling thirty (30) days within a calendar year.

Temporary Sign: A non-permanent Sign intended for a limited time of display that complies with [Article 6.17 Sign Standards.](#)

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Temporary Use and Event: A use or structure which is associated with a holiday or special event, or which is accessory to a permitted use and transitory in nature, and complies with [Article 6.18 Temporary Uses and Events](#).

Thoroughfare Plan: The [Westfield Thoroughfare Plan](#), adopted by the City of Westfield, as amended, which sets forth the location, classification, and other information pertaining to existing and proposed vehicular and pedestrian ways in the Jurisdiction of the Plan Commission and which illustrates the legally established goals and objectives of the City as they pertain to Rights-of-way.

Township: Washington Township, Hamilton County, Indiana.

Tree: A large, woody plant having one or several self-supporting stems or trunks and numerous branches.

Tree, Ornamental: A small to medium sized Tree, growing approximately fifteen (15) feet to forty (40) feet in height at maturity, planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.

Tree Protection: Measures taken to protect existing Trees from damage or loss during and after construction, such as installing temporary fencing, maintaining existing grades within the Dripline, and the use of tree wells.

Tree Protection Area: The area within the Dripline identified for preservation.

Tree, Shade: A large Tree growing to over forty (40) feet in height at maturity, usually Deciduous and planted to provide canopy cover shade.

Tree Specimen, Significant: A Tree noted for some desirable characteristic, such as flower, fruit, size, value to wildlife, uniqueness, or position in the landscape.

Tree, Street: A Tree planted along a Street or Private Street, which is typically located within the Right-of-way in accordance with [Article 6.8 Landscaping Standards](#) and the City’s Construction Standards.

Tree Well: A retaining wall or structure that preserves the existing grade and growing conditions within the Dripline of existing Trees.

Uu

Use: Any purpose for which a lot, building, or other structure or a 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 or on a tract of land.

Use, Accessory: A use incidental to and customarily associated with a use otherwise permitted and located on the same Lot or parcel.

Vv

Variance: Collectively, a Development Standards Variance and Use Variance.

Variance, Development Standards: A specific approval granted by the Board of Zoning Appeals in the manner set forth by this Ordinance, to deviate from a development standard (such as height, bulk, area) of this Ordinance.

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Variance, Use: A specific approval granted by the Board of Zoning Appeals in the manner set forth by this Ordinance, to allow a use otherwise not permitted or specifically regulated by this Ordinance in a particular Zoning District.

Vegetation, Native: Any plant species that is indigenous to all or part of Hamilton County, Indiana and does not include plant species that have been introduced by man.

Vibration: Oscillatory motion transmitted through the ground.

Vines: A woody plant that has a spreading pattern of growth typically used on the ground, on walls, and on trellises.

Vision Clearance: A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision as set forth in [Article 6.19 Vision Clearance Standards](#).

Ww

Wildlife Habitat, Significant: A geographic area which provides food, shelter, nesting sites, territory, and protection for important animal, insect, and/or plant species.

Window: Any single window pane or a series of adjacent window panes separated by mullion(s) of three (3) inches or less. Adjacent window panes set at different angles shall constitute separate windows regardless of the width of their mullion separation.

Wireless Communication Service Facilities: Antennas or antenna support structures for private or commercial mobile radio communications, broadcast radio or television; and associated equipment buildings, broadcasting studios, or radio or television business offices.

Xx

Yy

Yard: A space on the same Lot with a Principal Building that is open, unoccupied and unobstructed by structures other than by steps, walks, terraces, driveways, lamp posts and similar structures, or except as otherwise provided by this Ordinance.

Yard, Established Front: A Yard extending across the full width of the Lot between the Principal Building, as built, and the Front Lot Line, the depth of which is the least distance between the Front Lot Line and the Principal Building.

Yard, Established Rear: A Yard extending across the full width of the Lot between the Principal Building and the Rear Lot Line, the depth of which is the least distance between the Rear Lot Line and the Principal Building.

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Yard, Established Side: A Yard extending the full depth of the Lot between the Principal Building and the Side Lot Line, the width of which is the least distance between the Side Lot Line and the Principal Building.

Yard, Front: A Yard extending across the full width of the Lot, the depth of which is the least distance between the Front Lot Line and the Front Yard Building Setback Line.

Yard, Rear: A Yard extending across the full width of the Lot, the depth of which is the least distance between the Rear Lot Line and the Rear Yard Building Setback Line.

Yard, Side: A Yard extending across the full depth of the Lot, the depth of which is the least distance between the Side Lot Line and the Side Yard Building Setback Line.

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