



## A Planning and Zoning Glossary

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Did you ever drive by a new residential or commercial development and wonder, “Why did they locate it there?” Have you ever looked at a new subdivision, office complex, institution, senior living community, or industrial park and thought, “I wonder how long that’s been there”?

In many Indiana communities, locating a new development involves a fairly complex decision-making process that includes legal checks and balances. As you might expect, even the words that developers and planners use can be confusing to an outsider. Knowing and using a common vocabulary of planning and zoning terms will help you understand planning and zoning issues and communicate in a better way.

This glossary of commonly used planning and zoning terms should make it easier for you to get involved in answering questions and making decisions about growth and development in your community.

### Frequently Used Planning and Zoning Terms

**accessory use** — Accessory uses are additional, incidental, supportive, or subordinate uses allowed on a land parcel in addition to its principal use. Often, accessory uses or accessory structures are permitted after the principal structure was constructed, inspected, and approved, and the principal use is established. Examples of accessory uses include garages, granny apartments, dog houses, urban bee-keeping, small wind-energy conversion systems (5 to 100 kilowatt), and solar energy systems for residences. See References and Resources items 20 and 14.



*A cultivated farm field. See agricultural zoning.*

**affordable housing** — Housing for rent or ownership that costs 30 percent or less than the average household earnings or income of the administrative or planning unit (such as a town, city, county, or a region) in which the housing is located. The costs include gross monthly rent for rental properties, which can include utilities and condominium fees. Mortgage payments, taxes, flood insurance, utilities, etc., are included for ownership costs. For mobile home units, costs include site rent, registration and license fees, and property taxes. See References and Resources item 31.

**agricultural district** — One method to designate a geographic area to protect farmland from pressure to convert it to other uses. These districts are voluntarily formed by landowners and approved by government agencies for fixed, renewable time periods.

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**agricultural zoning** — Local zoning that establishes permitted and conditional uses of land for agricultural purposes and supporting activities. Often, a low-density dwelling unit (DU) is permitted on lands zoned for agriculture.

**board of zoning appeals (BZA)** — An appointed group that hears appeals and proposals and makes decisions about exceptions and variances to current zoning ordinances.

**buffer zone** — A parcel of land between two incompatible land uses. A buffer zone can be used as a transition zone, to protect ecological areas, as a landscape element, or to mitigate against nuisances such as noises. See References and Resources item 23.

**business district** — Land that is zoned for commercial use. A business district can be located linearly along highways and major thoroughfares, or a business district can be a contiguous group of parcels, such as a central business district, shopping district, etc.

**comprehensive plan** — A guide for community growth over a 10- to 20-year period. A comprehensive plan provides the legal basis and support for land use regulations and direction. A comprehensive plan is sometimes called a master plan or general plan.

**concentrated animal feeding operation (CAFO)** — A large confined feeding operation (CFO) that has the potential to discharge large amounts of pollutants and has an option for a National Pollutant Discharge Elimination System (NPDES) to meet state water quality requirements. There are currently minimal regulatory differences between CFOs and CAFOs in Indiana. See References and Resources item 18. See *confined feeding operation (CFO)*.

**confined feeding operation (CFO)** — A livestock feeding operation that consists of more than 300 cattle, 600 swine or sheep, or 30,000 birds (chicken, turkey, etc.). This is the Indiana Department of Environmental Management’s definition. Counties often define CFOs by different numbers. See References and Resources item 18. See *concentrated animal feeding operation (CAFO)*.

**conservation district** — Conservation districts are established under the State Enabling Act. These districts focus on conserving soil, water, natural resources, and amenities at the local level. For example, state agencies, such as the Department of Natural Resources (DNR) can ask to create a conservation district to protect bat habitat to comply with the federal and state regulations for the endangered species. See References and Resources item 24.

**conservation easement** — A legal tool that enables a person or entity to purchase or donate property for the purpose of preserving natural amenities.

**development rights** — These are the rights that property owners have to develop their land under local, state, and/or federal laws.

**eminent domain** — When a government acts in the public interest to take private property from an owner with just compensation.

**farmland base rate** — A method of valuing farmland that is based on soil type and product markets rather than on development potential. It is used mostly for property tax purposes.

**fiscal impact** — The effect that economic development or public policy has on local government finances.

**flood insurance rate map (FIRM)** — An official map of a community that includes the special hazard areas and the flood risk premium zones defined by the Federal Emergency Management Agency (FEMA). The latest electronic version of one of these maps is called a digital flood insurance rate maps (dFIRM). See References and Resources item 5.

**floodplain** — A relatively flat area of land located beside streams, rivers, or channels that can flood periodically. See References and Resources item 15.

**form-based code (FBC)** — A development regulation that emphasizes an area’s built environment, urban form, environmental and urban design, mixed uses, aesthetics, and public realm compared to emphasis on compatibility of activities and separation of land uses as practiced in conventional zoning. See References and Resources items 35 and 36.



*A farm field borders the city. See buffer zone.*

**general plan** — See *comprehensive plan*.

**green infrastructure** — An interconnected system of natural areas, conserved and working lands, open spaces, forests, streams, wetland and water bodies, riparian zones, and other landscape elements that provide ecological and environmental services to the region. See References and Resources item 1.

**group quarters** — A residential facility in which unrelated people live. Examples include medical treatment facilities, prisons, dormitories, college residence halls, military barracks, etc. They are sometimes called group homes. See References and Resources item 25.

**hardship** — When there is an undue burden on a property because of zoning regulations resulting in significant or all loss of economic value. Hardship can result from the shape, size, layout, and unique location of the parcel. See References and Resources item 26.

**historic building** — A building and property listed in the state or national historic register because of its historic character, architectural style, association with a historic event, or landmark characteristics. See References and Resources item 27.

**impact fees** — A monetary charge imposed on new development by a government unit to defray the capital costs of the infrastructure the new development will need.

**industrial district** — Land zoned for light or heavy industrial use. Helps segregate and consolidate industries in one zone and protect from nuisance suits.

**infill development** — Development that occurs on vacant and underutilized properties and parcels aimed to increase the density and optimize use of the existing infrastructure. See References and Resources item 14.

**land trust** — A private, nonprofit land organization that protects natural and cultural resources through conservation easements, land acquisition, and education.

**manufactured housing** — Manufactured homes are built in a factory (prefabricated), then transported to a site to assemble. These structures must follow the Housing and Urban Development (HUD) code for manufactured home construction and safety standards. See References and Resources item 22. See *modular home*, *mobile home*.

**master plan** — See *comprehensive plan*.

**mobile home** — A manufactured home built before 1976, the year Housing and Urban Development implemented a code for manufactured home



*The floodplain of the Mississippi River. See floodplain. Photo provided by NASA's Earth Observatory.*

construction and safety standards. The terms manufactured, modular, and mobile homes are sometimes used interchangeably. See References and Resources item 22. See *manufactured housing*, *modular home*.

**modular home** — Modular homes are built in a factory and adhere to state, regional, or local building codes and regulations. See References and Resources item 22. See *manufactured housing*, *modular home*.

**net assessed value** — A value that the county or township assessors place on land, buildings, and business equipment minus deductions. See References and Resources item 34.

**nonconforming use** — When a property's use does not meet zoning ordinance specifications.

**nuisance doctrine** — The legal doctrine that no owner has an absolute right to use property in a way that might harm the public health or welfare, or that would damage a neighboring landowner's interest or the interests of the community as a whole.

**overlay zoning districts** — As the name suggests, overlay zoning districts are superimposed over existing conventional zoning district(s) and supersede any other development regulations and ordinances. Examples include a historic district, airport district, and interstate interchange overlay district. See References and Resources items 14 and 32.

**petitioner** — The person or entity who requests a zoning change, a subdivision approval, or a zoning variance.

**plan commission** — An appointed group that develops a comprehensive plan and recommends zoning changes to local legislative boards.

**planned unit development (PUD)** — A single lot or group of few large adjacent lots that require master planning and a comprehensive development review process. PUDs are usually developed for residential and mixed use. They are sometimes commercial projects. See References and Resources item 13.

**planning** — The legal process for deciding the future use of the land in a community.

**plat** — A plat includes a map that shows subdivision lots or property parcels. It is usually based on a land survey and can include easements, utilities, rights of way, floodways, etc. See References and Resources item 29.

**prime farmland** — Land that is best suited for row, forage, and fiber crop production. Natural characteristics include level topography, good drainage, adequate moisture supply, favorable soil depth and texture, and the ability to consistently produce the most food, feed, and fiber with the least fertilizer, labor, and energy.

**property rights** — A defined privilege to use land, water, and other resources in particular ways.

**purchase of agricultural conservation easements (PACE) program** — A government or nongovernmental initiative for acquiring the development rights to farmland and preserving agricultural use. Landowners retain ownership of the land and agree to keep land in agricultural use. See *purchase of development rights (PDR) program*. See References and Resources item 37.

**purchase of development rights (PDR) program** — An initiative in which a government entity or land trust purchases the development rights to farmland to preserve agricultural use. In this voluntary program, landowners retain ownership of the land as long as they agree to keep land in agriculture. See *purchase of conservation easements (PACE) program*.

**remonstrator** — A person or entity objecting to a proposed change in zoning.

**residential district** — A zone established for housing that can have various densities and varieties.

**restrictive covenant** — A legal and written agreement between private landowners themselves and/or the city to restrict and limit certain uses within a subdivision or platted properties. Sometimes, it is also referred to as the *deed restriction*. The objective of these covenants is to protect the land value and character of the development. See References and Resources item 29.

**riparian zone** — This term describes a transition area between terrestrial ecosystems (land-based) and aquatic

ecosystems. A riparian zone is “water-dependent” land alongside streams, tributaries, and lakes. See References and Resources item 12.



*Roads often run near land with unique scenic characteristics. See scenic byway.*

**scenic byway** — A transportation corridor that has unique historical, cultural, native, natural, and/or scenic characteristics. See References and Resources item 19.

**site plan** — A scaled drawing that includes detailed layout of a development proposal and shows lot lines, access roads, rights of way, major landscape features, environmentally sensitive areas, existing and proposed utility easements, etc. See References and Resources item 29.

**subdivision control ordinance** — A law that is a device for implementing the comprehensive plan. Subdivision controls describe standards that communities must use to ensure orderly community growth and the proper division of properties, plats, and tracts.

**taking** — The act of acquiring and occupying land or regulating land to the extent that the land has no remaining economic value to the owner.

**tax increment finance (TIF) district** — An area delineated and established by local government authorities with the purpose to finance infrastructure to attract economic development, often through bonds. Infrastructure improvements include roads, water lines, sewers, utilities, and amenities. The bonds are repaid with the increased property tax revenues that come as a result of the infrastructure improvements that increase the district’s assessed value. See References and Resources item 34.

**telecommuting** — The act of working from home or a branch location and connecting to the primary place of work by using a high-speed internet connection and

other communication devices. Telecommuting reduces transportation costs and travel distance. See References and Resources item 29.

**transfer of development rights (TDR)** — A program that allows landowners to transfer the right to develop one parcel of land to a more suitable parcel of land in order to prevent farmland conversion and/or conserve open spaces. TDR programs establish "sending or donor areas" and "receiving or donee areas" for development rights. See *development rights*.

**transient accommodation** — A short-term accommodation rental provided by private households. Airbnb, vacation rentals, and sometimes bed-and-breakfast providers can be included in this category. Local authorities may provide conditional use permits and regulate them by collecting taxes, monitoring, and protecting residential areas from nuisances. See References and Resources item 30.

**transit oriented development (TOD)** — In general, this is a mixed-use development within walking distance (5 to 10 minutes or a quarter of a mile) of a light rail or bus rapid transit station. See References and Resources item 21.

**unified zoning ordinance** — An ordinance that includes zoning ordinances and subdivision regulations for both incorporated and unincorporated areas, into one document. See References and Resources item 26.

**unified development ordinance** — An ordinance that contains zoning regulations, subdivision regulations, urban design guidelines, and accessories (such as floodplain management, sign regulations, etc.) into one document. See References and Resources item 32.

**urban growth boundary** — An area designated to contain urban development within a planned urban area where land developments are permitted, and basic services (such as sewers, water facilities, and police and fire protection) can be economically provided. Sometimes called urban service boundary.

**variance** — A waiver to provide ease and relief from ordinance requirements and standards in case the land cannot be developed as allowed by zoning because its shape, proximity, location, topography, etc., causes undue economic hardship for the owner. Examples include relaxing setback distances from the front, side, and back lot lines. See References and Resources item 29.

**viewshed** — The geographical area and landscape visible to an observer from a specific vantage point. See References and Resources item 28.



*There are regulatory differences for concentrated animal feeding operations (CAFOs) and confined feeding operations (CFOs). See concentrated animal feeding operation (CAFO) and confined feeding operation (CFO).*

**walkable community** — A community that provides safe, easily accessible, and highly connected biking and walking infrastructure (such as sidewalks and bike lanes) for residents of all age groups. In such communities, daily activities (shopping, going to school or work, and recreation) can be performed by using nonmotorized transportation modes. These communities promote active living. See References and Resources item 33.

**wind energy conversion system (WECS)** — A system that converts wind energy into usable electrical energy for utilities and consumers. The ordinance covering WECS generally identifies siting restrictions, setbacks from residential use and infrastructure, ancillary electric substations, preconstruction and post-construction operation and maintenance, and end of life removal and disposal of the wind turbines. See References and Resources item 7.

**zoning** — A way of putting the *comprehensive plan* to work. A zoning ordinance contains regulations designed to implement the comprehensive plan. It includes, but is not limited to, permitted activities, setbacks, signs, parking, landscaping, environmental restrictions, density, and site plans. It provides for allowable land uses. Zoning is comprised of districts, ordinances, and the zoning map.

**zero lot line dwelling unit** — A building with a dwelling unit with at least one side resting directly on the lot line. See References and Resources item 26.

## The ABCs of Planning and Zoning

As you travel your community highways and byways, look at the landscape. The changes you see affect you and all your neighbors now and in the future. Remember that your participation and understanding are the basis for a strong community.

As you consider your community's future, keep in mind the ABCs of planning and zoning:

### A = Attitude

Open your attitude. A closed mind is a fertile field for conflict. Approach change in a professional way. Ask questions. Awareness is important.

### B = Boards

Work with your local boards, state legislators, and planning commissions. Offer ideas to improve the community. Your community will benefit from your involvement.

### C = Collaboration

Community engagement is a critical component, and collaboration is vital in a comprehensive planning process. And your part in caring for your neighborhood is critical to its future.

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*This waterway has a transition zone between it and the farmland. See riparian zone.*

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