

**ARTICLE 2  
DEFINITIONS**

**SECTION 2.1 DEFINITIONS**

**Abutting:** Having a common border with, or being separated from such a common border by a right-of-way or easement for a street, alley, pedestrian way, utilities, or storm drainage.

**Accessory use:** An accessory use is a building, structure or use which meets all the following criteria:

1. It is subordinate to and serves a principal building or a principal use;
2. It is subordinate in area, extent or purpose to the principal building or principal use served;
3. It contributes to the comfort, convenience or necessity of occupants, business, industry, or institution in the principal building or principal use served;
4. It is located on the same lot as the principal building use or use served; and
5. It would not otherwise be considered a principal use if it were to be a freestanding structure on its own lot, such as an office building, parking structure, power generation facility or similar facilities.

**Adult book store** means an establishment having ten percent or more of its stock in trade, books, magazines and other periodicals, photographs, films, motion pictures, computer software, audio tapes, video tapes, laser discs or other electronic or magnetic media which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”, or an establishment with a segment or section devoted to the sale or display of such material.

**Adult mini motion picture theater** means an enclosed building with a capacity for less than 50 persons used for presenting motion picture films, slides, video cassettes, laser disks, digital video disks, cable television, computer generated displays, or any other such visual media distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”, for observation by patrons therein.

**Adult motion picture theater** means an enclosed building with a capacity of 50 or more persons used for presenting motion picture films, slides, video cassettes, laser disks, digital video disks, cable television, computer generated displays, or any other such visual media, distinguished or characterized by an emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas”, for observation by patrons therein.

**Adult oriented business** means any use of land, a building or a structure which contains any one or more of the following:

1. Adult book store;
2. Adult mini motion picture theaters;
3. Adult motion picture theaters

**Agriculture:** All of the growing of crops in the open and the raising and feeding of livestock and poultry; including farming, farm buildings, and farm dwellings; truck gardens, flower gardens, apiaries, mushroom growing, nurseries, orchards, forestry, dairying, greenhouses and commercial vegetables.

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***Airport, commercial:*** Any area of land, water, or both, used for the landing and take-off of aircraft, intended for a profit, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for the receiving or discharging of passengers or cargo, and all appurtenant areas or suitable airport buildings or other airport facilities.

***Airport, restricted landing area:*** Any area of land, water, or both, which is used or is made available for the landing and take-off of aircraft and which is not used for commercial purposes.

***Alley:*** A public or private way, not more than thirty (30) feet wide, at the rear or side of property, and which serves as a secondary means of vehicular access to abutting property.

***Alteration:*** As applied to a building or structure, means a change or rearrangement in the structural parts or in the means of egress. This definition includes an enlargement of a building or structure, whether by extending a side or by increasing the height. Also, the moving of a building or structure from one location or position to another is considered an alteration. (see also *Substantial addition*)

***Amusement center, indoor:*** A business establishment whose principal business is providing entertainment to customers via the customer's use of mechanical or electronic game machines or devices and/or table sports. Such machines, devices and table sports include pinball machines, electronic video games, virtual reality devices, table tennis, billiards, and other similar games or sports. However, in no case shall an amusement center involve wagering or betting activities.

***Amusement center, outdoor:*** A business establishment whose principal business is providing entertainment to customers in a outdoor setting. Such uses include miniature golf, batting practice cages, and similar outdoor amusement facilities, but not including go-cart or other motorized vehicle tracks.

***Apartment:*** (see *Dwelling, apartment*)

***Attached one-family dwelling:*** (see *Dwelling, attached one-family*)

***Automobile laundry:*** (see *Car wash*)

***Automobile repair, major:*** (see *Vehicle repair facility*)

***Automobile repair, minor:*** (see *Vehicle service facility*)

***Automobile service station:*** (see *Gasoline station*)

***Automobile wrecking yard:*** (see *Vehicle wrecking yard*)

***Awning:*** (see also *Canopy*) A fixed or retractable roof-like cover that serves to shield a doorway or window from the elements, and which projects from and is supported by the wall of a building.

***Bars and taverns:*** A business establishment where beer, wine, or other alcoholic beverages are sold to customers and consumed on the premises and where food or meals sold in conjunction with the business constitutes fifty (50) percent or less of the gross receipts of the establishment.

***Bed and breakfast establishment:*** An operator-occupied dwelling unit (detached one-family type dwelling of historical or architectural significance) providing accommodations for a charge to the public with no more than five (5) guest rooms for rent, in operation for more than ten (10) nights in a twelve (12) month period. Breakfast shall only be provided to the overnight guests. The term bed and breakfast establishment shall not include hotels, motels, boarding houses, or food service establishments. Operator shall mean the owner of the bed and breakfast establishment, or the owners agent, who is required by the Illinois Bed and Breakfast Act to reside in the bed and breakfast establishment, or on contiguous property. Guest room shall mean a sleeping room intended to serve no more than two (2) transient guests per night.

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**Basement:** That portion of a building which is partly or completely below grade (see also *Story Above Grade*).

**Bedroom:** Any room, within a dwelling unit, used principally for sleeping purposes, including rooms used as an all-purpose room, a study or a den.

**Billboard:** (see Article 7, "Sign Regulations")

**Block:** A tract of land bounded by streets, or in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way, bulkhead lines, or shorelines of waterways or a corporate boundary line of the City.

**Block frontage:** All the property abutting on one (1) side of a street between two (2) intersecting streets or, if the street be a dead end, then all property abutting on one (1) side between an intersecting street and the dead end of the street. In the case of dead end streets less than two hundred and fifty (250) feet in length, both sides of the street shall be considered to be in the same block frontage.

**Boarding house:** A dwelling in which room and board is provided for compensation or not to six (6) or more persons, but not more than twelve (12) persons, who are not related to the keeper of such dwelling.

**Building:** Any structure occupied or intended for supporting or sheltering any occupancy.

**Building coverage:** That portion of a lot covered by a structure or structures, including accessory structures.

**Building height:** The vertical distance from grade plane to the highest point of the building, except for height exceptions that may be permitted in **Article 5, Section 5.5**.

**Building line:** (see *Building setback*)

**Building, principal:** The structure in which the principal use of the lot is located.

**Building setback:** The required minimum horizontal distance between the closest point of an exterior wall of a building or any projection thereon and the applicable property line or right-of-way line, in which no structure can be placed or erected, unless otherwise provided for in this ordinance (see Article 5 for exceptions to setback requirements).

**Buffer area:** (see also *Screening*) An area of land established to protect one type of land use from another incompatible, or potentially incompatible, land use. The area is landscaped or left in a natural state and in either event is kept in open space use without buildings or structures.

**Bus lot:** Any lot or portion thereof used for the storage or layover of passenger buses or motor coaches.

**Canopy:** (see also *Marquee*) A fixed or retractable semi-permanent roof-like cover, comprised of a skeletal structure covered by fabric or plastic material, that serves to shield a doorway or window from the weather, and which projects from the wall of a building, is attached to the building at the inner end and is supported by posts, columns or stanchions at the outer end. A canopy is not a marquee.

**Car wash:** A structure or portion thereof, containing facilities for washing motor vehicles, such as a chain conveyor, blower, pressurized cleaning device or other mechanical device, including self-service cleaning facilities.

**Child day care center, nursery school, or day care nursery:** (see *Day care center*)

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**Club or lodge:** A building, along with accessory structures and facilities, primarily intended to accommodate an association of persons and in which the buildings, structures and facilities are limited and restricted to members and their guests. This definition does not include fraternities and sororities.

**Commercial use:** An occupation, employment, or enterprise that is carried on for a profit by the owner, lessee, or licensee, but not including home occupations and day care homes that comply with the provisions of this ordinance.

**Common open space:** (see *Open space, common*)

**Community residence:** A specialized, not-for-profit, residential care home serving as a dwelling for unrelated persons with disabilities and wherein such group of unrelated persons does not fall within the definition of "family." A community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense or a treatment center for alcohol or substance abuse.

**Community residence, large:** A dwelling unit where more than eight (8) unrelated disabled persons reside, plus additional persons serving as house parents or guardians who need not be related to each other or to any of the disabled persons residing in the dwelling.

**Community residence, small:** A dwelling unit where eight (8) or fewer unrelated disabled persons reside, plus not more than two (2) additional persons serving as house parents or guardians who need not be related to each other or to any of the disabled persons residing in the dwelling.

**Convalescent home:** Any premises, other than a community residence, nursing home, hospital or substance abuse treatment center, which provides twenty-four hour care, accommodation and board in order to aid individuals in the recovery of health and strength after illness or weakness.

**Convenience store:** A retail establishment, not exceeding 3,500 square feet in gross floor area, offering for sale prepackaged food products, household items, and other convenience goods.

**Corner lot:** (see *Lot, corner*) **Council:** The City Council of the City of Jacksonville, Illinois.

**Day care home:** A one-family dwelling unit in which family-like care is provided for persons, away from their own homes, for compensation or otherwise, for part of a twenty-four (24) hour day, and where such day care operation is licensed by the Illinois Department of Child and Family Services.

**Day care center:** A commercially operated or not-for-profit operated facility providing for the care of persons, away from their own homes for part of the twenty-four (24) hour day, and where such day care operation is licensed by the Illinois Department of Child and Family Services. The terms "nursery school" or a "day care nursery" shall be considered synonymous with day care center.

**Density:** (see also *Net acreage*) The ratio of the number of dwelling units to the net acreage of parcel of land on which the dwelling units are located.

**Detached one-family or single-family dwelling:** (see *Dwelling, detached one-family*)

**Development:** All structures and other modifications of the natural landscape, above and below ground, on a particular site, including but not limited to grading, removal of trees, paving, installation of utilities, or the erection of structures.

**Development, planned:** Land under unified control to be planned and developed in a single development operation or a programmed series of development operations or phases. A planned development includes principal and accessory structures and uses strongly related to the character and purposes of the planned development. A planned development is

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built according to general and detailed plans for streets, utilities, lot and building location, landscaping, and the like. A planned development containing multiple lots and common areas includes provisions for the operation and maintenance of common areas, facilities, and improvements that are for use by the occupants of such planned development, but which will not be provided, operated, or maintained at public expense. A planned development may include development of a single parcel of land without common areas as previously described.

***Discontinuance:*** (see Article 12, "Non-Conforming Situations")

***Development standards:*** Standards established in the regulations of this ordinance which control the physical and/or operational characteristics of any permitted, special or accessory use.

***Dormitory:*** Any premises providing group sleeping or living accommodations for four (4) or more unrelated persons associated with an institution.

***Double frontage lot:*** (see *Lot, through*)

***Drive-through facility:*** Any portion of a principal building, separate accessory structure, and/or an area of a lot, from which business is transacted, or is capable of being transacted, directly with customers while they remain in their motor vehicle. The terms "*drive-up*" and "*drive-in*" or similar terminology shall be considered synonymous with drive-through.

***Dwelling:*** A building, or portion thereof, used exclusively for residential purposes, except for hotels, motels, house trailers or motor homes.

***Dwelling, apartment:*** A building, or portion thereof, designed for occupancy by three (3) or more families living independently of each other. This definition does not include "*attached one-family*" dwellings.

***Dwelling, attached one-family:*** One (1) of a series of two (2) to eight (8) attached dwelling units, each of which is located on its own subdivided lot of record.

***Dwelling, detached one-family:*** A dwelling unit which is entirely surrounded by open space on its own subdivided lot of record.

***Dwelling, manufactured (mobile) home:*** (see also *Dwelling, modular home*) A structure transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is 320 or more square feet in gross floor area, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the necessary electrical, plumbing, heating, ventilating and other services systems. Manufactured homes must comply with the National Manufactured Home Construction and Safety Standards which are administered by the Federal Department of Housing and Urban Development and must bear the required label on the exterior of the home which indicates compliance with such Federal standards. A recreational vehicle is not considered to be a manufactured home.

***Dwelling, manufactured home (double wide):*** Any structure for living or sleeping, excluding single section or mobile homes, having at least 900 square feet, excluding porches and garages, and further designed so as to be transported in at least 2 sections in a cradle or dolly and placed upon a permanent perimeter supporting concrete or masonry foundation which extends below the frost line. Manufactured homes must comply with standards established by the Federal H.U.D. Department and bear the appropriate seal. A recreational vehicle is not a manufactured home.

***Dwelling, patio (patio house):*** One of a series of one-story, basically L-shaped, one-family dwellings which together, with an enclosed private court yard or patio, may occupy up to one-hundred (100) percent of a lot. The courtyard or patio serves as the principal open space for the occupants.

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**Dwelling, townhouse:** A dwelling, two (2) or three (3) stories in height, and containing three (3) to eight (8) dwelling units, which are separated by partition walls, extending from basement to roof without openings.

**Dwelling, two-family:** A dwelling containing two (2) dwelling units on a single lot of record.

**Dwelling unit:** One (1) or more rooms located within a dwelling, forming a habital unit designed for one (1) family.

**Enforcement officer:** (see Article 10, "Administration and Enforcement")

**Exterior wall:** (see *Wall, exterior*)

**Family:** One or more persons related by blood, marriage, or adoption, or a group of not more than five (5) unrelated persons living together as a single housekeeping unit maintaining a common household, but not including sororities, fraternities, or other organizations.

**Fast food restaurant** (see *Restaurant, fast food*)

**Flood plain:** (see Ordinance 94-0-24)

**Floor Area, gross:** The sum of the area of horizontal surfaces of all floors of a building, measured from the exterior faces of exterior walls and includes all corridors, lobbies, elevators, stairs, and toilet rooms. Areas devoted to off-street parking or loading, or to building mechanical rooms, shall not be included in the computation of gross floor area.

**Fraternity or sorority house:** A dwelling occupied by members of a fraternity or sorority. A fraternity or sorority is an organization of a group of individuals with a common purpose under a constitution, by-laws or other rules adopted by them, and recognized by an accredited school. This definition does not include any organization formed by the owner or leaser of real estate for the purpose, among others, of operating a dormitory or boarding house.

**Front yard:** (see *Yard, front*)

**Garage or carport, private:** A detached accessory building or portion of a principal building, designed, arranged, used or intended to be used for the storage of motor vehicles of the occupants of the premises.

**Gasoline station:** A building and premises where the primary use is the retail sale and dispensing of gasoline, diesel fuel, lubricants, coolant, compressed air, and other vehicle fluids, but not including vehicle repair or service facilities, or sale of motor vehicles.

**Grade plane:** A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, when the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.

**Habitable space:** (see also *Occupiable space*) Space in a building for living, sleeping, eating or cooking.

**Heliport:** An area, either at ground level or elevated on a structure, and licensed or approved for the loading/unloading and take-off of helicopters, including auxiliary facilities such as parking, waiting rooms, fueling and maintenance equipment.

**Home occupation:** An occupation, profession, or other business activity (for profit or not-for-profit) that is clearly incidental to and a secondary use of a dwelling unit, and which does not alter the exterior of the dwelling unit. (see Article 5, "Supplementary Regulations," **Section 5.10**).

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**Hospital:** Any premises, other than a nursing home, convalescent home or substance abuse treatment center, devoted primarily to the diagnosis, treatment and overnight or outpatient nursing or medical care of individuals.

**Hotel:** A building or group of buildings containing rooms which are intended, used or designed to be rented or let out for compensation to tourists, business travelers, or other transients, with no provisions for cooking in said rooms.

**Hotel, extended stay:** A building or group of buildings containing rooms which are intended, used or designed to be rented or let out for compensation to tourists, business travelers, or other transients, and which include kitchen facilities.

**Junkyard:** The use of more than two hundred (200) square feet of any lot where waste, scrap metal, paper, rigs, or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including vehicle and building wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

**Kennel:** Any lot or premises or portion thereon on which more than four dogs, cats and other household domestic animals over four months of age are kept or on which more than two such animals are boarded for compensation or kept for sale or combination thereof.

**Laundry facilities, common:** Private laundry facilities established for use by residents, and their guests, of an apartment complex or a mobile home park, and not exceeding one-thousand six-hundred (1,600) gross square feet in area.

**Lot:** (see also *Lot of record* and *Lot, zoning*) A parcel of land which has been or which is proposed to be used, developed, or built upon as a unit under single ownership. This definition shall be synonymous with the terms premises, parcel, site, or tract when used in the appropriate context.

**Lot area:** (see also *Density*) The total area circumscribed by the boundaries of a lot, excluding easements for access or road purposes.

**Lot, corner:** A lot abutting on and at the intersection of two or more streets. For establishing building setbacks, a corner lot is considered to have two or more front yards. (see also *Lot, reverse corner*)

**Lot coverage:** (see *Site coverage*)

**Lot depth:** The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

**Lot, double frontage:** (see *Lot, through*)

**Lot, flag:** A lot with access provided to the bulk of the lot by a narrow corridor of property.

**Lot, interior:** A lot which abuts other lots on all sides (and rear), except for the lot line dividing the lot from a single abutting street.

**Lot line:** (see also *Property line*) A line dividing one lot from another, or from a public or private street right-of-way or any other public right-of-way.

**Lot line, front:** (see also *Yard, front*) On an interior lot, the lot line abutting a street right-of-way; or, on a corner lot, each lot line abutting a street right-of-way; or, on a through lot, the lot line abutting the street right-of-way providing the primary access to the lot; or, on a flag lot, the interior lot line most parallel to and nearest the street right-of-way providing access.

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**Lot line, rear:** (see also *Yard, rear*) The lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line.

**Lot, reverse corner:** A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

**Lot line, side:** (see also *Yard, side*) Any lot line not a front or rear lot line.

**Lot of record:** A lot which is part of a subdivision or a parcel of land whose boundaries have been established by some legal instrument, and is shown on a map or plat thereof, which has been legally established and recorded in the Office of the Recorder of Deeds of Morgan County.

**Lot, through:** A lot having its front and rear yards each abutting on a street (also known as "double frontage" lot).

**Lot width:** The horizontal distance between side lot lines, measured along the required front building setback line.

**Lot, zoning:** A parcel of land consisting of a single lot of record, part of a lot of record, or a combination of two (2) or more contiguous lots of record which has been or which is proposed to be used, developed or built upon as a unit under single ownership or control.

**Manufactured dwelling:** (see *Dwelling, manufactured home*) **Manufactured (mobile) home:** (see *Dwelling, manufactured home*)

**Marquee:** (see also *Canopy*) A permanent roof-like structure projecting beyond a building, or extending along and projecting beyond the wall of the building, that serves to shield a building entrance from the weather.

**Metal or vehicle salvage yard:** The use of any building or lot where scrap metal or similar material is bought, sold, exchanged, packed, disassembled or handled, including the wrecking or salvage of used motor vehicles. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding 30 days, have not been capable of operating under their own power and from which parts have been, or are to be, removed for reuse or sale, shall constitute prima-facie evidence of a vehicle wrecking yard.

**Mini-warehouse facility:** (see *Warehouse, self-service storage*)

**Modular home:** (see *Dwelling, modular home*)

**Motel:** (see *Hotel*)

**Motor freight terminal:** (see *Terminal, motor freight*)

**Net acreage:** The gross acreage of a parcel of land less all land dedicated (or to be dedicated) to street rights-of-way or easements for access or road purposes. In the case of private streets, the equivalent of public rights-of-way for these private streets shall be deducted from the gross acreage. In the event that there is a question regarding the width and length of such equivalent rights-of-way, the Enforcement Officer shall render a determination.

**Non-conforming lot:** (see Article 12)

**Non-conforming situation:** (see Article 12)

**Non-conforming use:** (see Article 12)

**Non-conformity, dimensional:** (see Article 12)

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***Nursing Home:*** Any premises, other than a community residence, hospital or substance abuse treatment center, which provides twenty-four (24) hour personal and health care, accommodation and board to individuals under the daily supervision of a licensed nurse and the supervision of a licensed physician.

***Occupiable space:*** A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes, or in which occupants are engaged at labor; and which is equipped with means of egress and light and ventilation facilities meeting the City of Jacksonville building code.

***Office:*** A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical services.

***Office, medical or dental:*** A facility for the practice of medicine or dentistry for humans, including accessory diagnostic facilities/equipment, but not including in-patient (overnight) care, surgery clinics or substance abuse treatment centers.

***Open space:*** An area that provides light and air, and is designed for buffering one land use from another; or for environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water courses. Open space shall not include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

***Open space, common:*** Natural or landscaped open space within or related to a development, not in individually owned lots, designed and intended for the common use or enjoyment of the residents of the development. Common open space is intended to be synonymous with "*common ground*," "*common land*," and "*common area*" when used in the appropriate context.

***Parking, off-street:*** (see also *Parking Structure*) An area off-street and not within a building, where motor vehicles may be stored for temporary, daily or overnight parking.

***Parking space, off street:*** An area on a lot and/or within a parking structure intended for the use of temporary parking of a motor vehicle. To be considered a parking space, each parking space must have direct access to a motor vehicle circulation aisle or street. Tandem parking stalls in one-family detached, one-family attached, and two-family dwelling developments shall be considered to have a means of access to a street so long as no vehicle is parked partially or fully within a street right-of-way.

***Parking stall:*** (see *Parking space, off-street*)

***Parking structure:*** A building for the storage or parking of four (4) or more vehicles, limited exclusively to passenger vehicles that will accommodate not more than nine (9) passengers.

***Principal building:*** (see *Building, principal*)

***Property line:*** A line which divides one lot, parcel, or tract of land from another and as distinguished from a *right-of-way* line associated with a public or private street.

***Public utility facility:*** Facilities providing product or services, via a network of infrastructure, to the public at large such as electricity, natural gas, sanitary sewer, communications, cable television, and similar products or services.

***Rear yard:*** (see *Yard, rear*)

***Recreation facilities, commercial or health club:*** Commercial recreation facilities, operated as a business enterprise,

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offering sport and fitness activities such as tennis, racquetball, swimming, and physical exercise. Such facilities are typically more comprehensive in scope than "common" recreation facilities, defined in this Article, and may include accessory uses such as locker rooms, pro-shops, snack bars, exercise rooms and equipment, massage therapy, and similar facilities and services. They are commonly established as "health clubs," with membership coming from a larger trade area as opposed to a single subdivision or apartment/condominium complex.

**Recreation facilities, common:** Private recreation facilities established for use by residents, and their guests, of a residential subdivision, condominium, apartment complex, or mobile home park. Examples of such facilities include club houses, swimming pools, exercise rooms, tennis or other racquet sport courts.

**Recreation vehicle:** A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or towed by another vehicle. Terms such "travel trailer," "camping trailer," "truck camper," "motor homes" and similar terms are considered synonymous with recreational vehicle.

**Recycling Center:** A facility that is not a junkyard and in which recoverable resources, such as newspapers, glassware, and metal cans, are collected, stored, flattened, crushed, or bundled, essentially by hand within a completely enclosed building.

**Recycling Collection Point:** An accessory use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. This use does not include processing of such items.

**Recycling Plant:** A facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books and other paper products; glass; metal cans; and other products, are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production.

**Restaurant:** A business establishment whose principal business is the selling of prepared food to customers in a ready-to-consume state, on non-disposable dinnerware, and where the customers consume this food while seated at tables or counters located within the building or at supplemental outdoor dining areas. In order for such an establishment to be considered a restaurant and not a bar or tavern, not less than fifty (50) percent of its gross sales shall be for serving food and non-alcoholic beverages.

**Restaurant, fast food:** A business establishment whose principal business is the sale of food in ready-to-consume individual servings, for consumption either within the restaurant building or carry-out, and where either:

1. Food, frozen desserts or beverages are usually served in edible containers or in paper, plastic or other disposable containers and where customers are not normally served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed; or
2. The establishment includes a drive-through service facility or offers curbside service.

**Restricted landing area:** (see *Airport, restricted landing area*)

**Right-of-way:** A linear shaped area of land designated to serve as a public or private thoroughfare which affords primary access to abutting lots. A right-of-way may be designated as a street, highway, thoroughfare, parkway, boulevard, avenue, road, place, court, or similarly designated. The limits of a right-of-way are defined by lines which are legally described and recorded and/or designated on a legally recorded plat, or indicated on official drawings of the public entity having jurisdiction over such right-of-way. Right-of-way lines serve as a reference line in which certain setback requirements of this ordinance are measured from. For purposes of this ordinance, the term right-of-way shall not include alleys, pedestrian ways, railroads, or the right-of-way line associated with Highway 36.

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**Rooming house:** (see *Boarding house*)

**Screening:** (see also *Buffer area*) The method by which a view of one lot (or building thereon) is shielded, concealed, or is visually minimized from an adjacent property or street. Screening techniques include landscaping, fences, walls, berms, or architectural features (e.g., screening of building mechanical equipment).

**Self-service storage facility:** (see *Warehouse, self-service storage facility*)

**Setback:** (see also *Building setback*) The required minimum horizontal distance between a building, structure, sign, or other use (e.g., off-street parking lot) and the applicable property line or right-of-way line, in which no structure can be placed or erected, unless otherwise provided for in this ordinance.

**Sign:** (see Article 7, "Sign Regulations," **Section 7.2**)

**Side yard:** (see *Yard, side*)

**Site coverage:** (see also *Building coverage*) The area of the site which is covered by buildings, driveways, parking lots, loading areas, but excluding open spaces, plazas, pedestrian circulation, and buffer areas.

**Sorority house:** (see *Fraternity or sorority house*)

**Special use:** (see Article 9, "Special Use Procedure")

**Stable, private (non-professional):** An accessory and/or land use which is for the keeping of equines for the private use of the occupants of the dwelling and their guests, but in no event are for hire and which use does not constitute a primary source of income.

**Stable, professional:** A structure and/or land in or on which an operator keeps equine primarily for boarding, training and giving lessons, but in no event are the equines rented to the general public, other than to those customers who pay boarding fees.

**Stable, public (i.e., livery):** A structure and/or land for the keeping of equines for hire to the general public.

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

**Story above grade:** Any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade when the finished surface of the floor above the basement is:

1. More than six (6) feet above grade plane;
2. More than six (6) feet above the finished ground level for more than 50 percent of the total building perimeter; or
3. More than twelve (12) feet above the finished ground level at any point.

**Story, half:** The portion of a building under a gable, hip or mansard roof, the wall plates of which, on at least two (2) opposite exterior walls, are not more than four and one-half (4 1/2) feet above the finished floor of such story. In the case of one-family dwellings, two-family dwellings and multiple-family dwellings less than three (3) stories in height, a half-story in a sloping roof shall not be counted as a story for the purpose of this ordinance. In the case of

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## Definitions

multiple-family dwellings three (3) stories or more in height, a half-story shall be counted as a story.

**Structure:** Anything constructed or erected with a fixed location on the ground, or attached to something having or requiring a fixed location on the ground.

**Substance Abuse Treatment Center:** Any premises, other than a convalescent home, nursing home, hospital or office, providing treatment and rehabilitation for alcoholism, drug abuse or both.

**Substantial addition:** An increase of twenty (20) percent or more in the gross floor area of any building.

**Tavern:** (see *Bar and taverns*)

**Terminal, bus or train:** A building or area specifically designated for the assembly and boarding and un-boarding of passengers to/from buses or trains.

**Terminal, motor freight:** (see also *Warehouse and distribution center*) A building or area in which freight is brought to said building or area by motor truck, is sorted and/or temporarily stored for reshipment.

**Truck parking area or yard:** Any land used or intended to be used for the storage or parking of trucks, tractors, truck trailers, and including commercial vehicles, while not loading or unloading, and which exceed one and one-half (1 1/2) tons in capacity.

**Use:** The purpose or activity for which land or a building thereon is designed, arranged or intended or for which it is maintained, and shall include any manner or performance of such activity with respect to the performance requirements of this ordinance.

**Vehicle repair facility:** A building designed and used for the repair or refinishing of automobiles and light trucks, including both minor and major mechanical overhauling or replacement, painting, and body work. Major repairs may include; the removal and installation of engines, radiators, transmissions, differentials, fenders, doors, bumpers or other major body or mechanical parts; but not including tire recapping or vulcanizing, outdoor storage of wrecked or otherwise damaged and immobilized vehicles, or the sale of motor vehicles.

**Vehicle service facility:** A building designed and used for performing minor repairs or maintenance services on automobiles and trucks. Such minor repairs and services include; tune-ups, changing flat tires, repairing electrical systems, replacing hoses, replacing filters, installing minor accessories, adding or replacing lubricants, coolant, refrigerant, or other vehicle fluids; the sale of parts and supplies associated with such services; but not including the sale of motor vehicles.

**Wall, exterior:** A wall fully exposed to the outside air which forms the perimeter of a building or structure. Where a building or structure is not wholly surrounded by exterior walls, then the exterior wall shall be considered as the vertical projection between the edge of the roof above and the floor or ground area below.

**Warehouse, self-service storage:** A building or group of buildings with controlled access that contains individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.

**Wind farm:** See Wind Energy Conversion Systems in **Article 5, Section 5.15**

**Yard:** An open space on the same zoning lot with a principal building or group of buildings which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted in this Chapter, and which extends along a lot line and at right angles thereto to a distance specified in the dimensional regulations for the district in which the zoning lot is located.

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**Yard, front:** A yard extending across the full width of the zoning lot and lying between the required front building setback line and the front lot line of the zoning lot. For establishing building setbacks, a corner lot is considered to have two or more front yards, depending on the number of street rights-of-way such lot abuts.

**Yard, rear:** A yard extending across the full width of the zoning lot and lying between the rear lot line and the required rear building setback line.

**Yard, side:** A yard lying between the side lot line of the zoning lot and the nearest line of the required side building setback line and extending from the front yard to the rear yard.

**Zero lot line residential development:** A detached one-family residential development where one or more of the exterior walls of the one-family dwellings rest directly on a lot line.

**Zoning lot:** (see Lot, zoning)

### SECTION 2.2 ABBREVIATIONS

Abbreviations that may be used in this ordinance include, but are not necessarily limited to, the following:

**ac.** acre(s)

**avg.** average

**d.u.** dwelling unit

**FAA** Federal Aviation Administration

**FEMA** Federal Emergency Management Agency

**ft.** feet

**IDOT** Illinois Department of Transportation

**max.** maximum

**min.** minimum

**sq. ft.** square feet

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