

ARTICLE II
DEFINITIONS

Above Ground Service Facility, Service Facilities or Facilities: An above ground structure, used by an Entity to provide Service to the public, which has an above ground volume greater than 24 cubic feet but excluding buildings, towers, utility poles, watertowers and standpipes.

Accessory Building or Use: A building or use which:

1. Is subordinate to and serves a principal building or use;
2. Is subordinate in area, extent and purpose to the principal building or principal use served;
3. Contributes to the comfort, convenience or necessity of occupants in the principal building or principal use served; and
4. Is located on the same parcel of property as the principal building or principal use served.

Adult Day Care Facility: A facility providing care for elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day. All such facilities shall comply with the requirements for such facilities as set forth in Chapter II, Part 240, of the 89 Illinois Administrative Code or as subsequently amended.

Alley: A dedicated public right-of-way, other than a street, that affords a secondary means of access to abutting property.

Alternating, Structural: See Structural Alteration.

Amendment: Any modification, alteration or change of zoning district, regulation, variation, planned unit development, authority or special use.

Antenna: Any system of wires, poles, rods, reflecting discs, or similar devices used for the wireless transmission or reception of electromagnetic communications signals when such system is either external to or attached to the exterior of a structure.

Apparel Stores: Stores selling clothing for men, women and children at retail.

Athletic Training School: Schools offering instruction in various athletic endeavors including but not limited to gymnastics and martial arts.

Attention-Getting Device: Any pennant, banner, propeller, spinner, streamer, string of lights, search light, balloon, or similar device or ornamentation.

Auto Parts Store: An establishment for selling automotive parts at wholesale and retail, including machine shop service, but excluding the servicing of automobiles on the

premises. An establishment offering automotive parts for retail sale only need not be considered an "Auto Parts Store."

Automobile Repair Facility: An establishment for the general repair, engine rebuilding, reconditioning, body and frame repair, or painting of motor vehicles. The retail sale of automobile fuels shall not be permitted, except as incidental to the principal use.

Automobile Sales-New Car Dealers: The sales of new and used automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition, including the storage of automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition and the repair and servicing of such vehicles.

Automobile Sales-Used Car Dealers: The sales of used automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition, including the storage of automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition and the repair and servicing of such vehicles.

Automobile Service Station: An establishment for the servicing of automobiles. Services offered may include the retail sale of automobile fuels, lubricating oil or grease, tires, batteries, or minor automobile accessories; the installation of tires, batteries, and minor accessories; minor automobile repairs; washing or waxing of motor vehicles by hands; or the sale of convenience-type food and drug items. Major automobile repairs, including engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers, collision service, including body, frame, or fender straightening or repairing, and painting of motor vehicles, shall be prohibited.

Awning: An overhead cover that is temporary in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Banks and Financial Institutions: Commercial banks, currency exchanges, savings and loan associations, and other similar financial institutions. This definition shall not include business and professional offices such as loan and mortgage offices, finance companies, stock brokers, and investment bankers.

Banquet Facility: With or without another use, and except for an Inn, a facility catering to parties and meetings which may include the preparation of and serving of food, and liquor, and the providing of entertainment. The facility may be further controlled by conditions of a Special Use Permit. In no case shall the parking requirements for a banquet facility be less than one (1) space for every three (3) legal occupants thereof.

Beverage Distribution Centers: Warehouses for the storage and distribution of soft drinks and other non- alcoholic beverages but not including bottling plants and similar industrial uses.

Block: A tract of land bounded by streets, or by a combination of street, railroad right-of-way, or waterways.

Boat Trailer: A trailer, not used commercially, constructed and used for carrying personal property designed for navigation on the water.

Building: Any covered structure built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind, which is permanently affixed to the land or any covered or uncovered equipment permanently affixed to the land acting as a subordinate station for the distribution of electric current or other utilities.

Building Height: The total vertical distance from grade level to the highest point of the roof surface.

Bulk Regulations: Regulations controlling the size of buildings or other structures and the relationships of buildings, structures, and uses to each other and to open areas and lot lines. Bulk regulations include regulations controlling:

1. Maximum height
2. Minimum lot size
3. Maximum lot coverage and maximum floor area ratio, whichever is less.
4. Minimum lot width
5. Minimum size of yards and setbacks
6. Minimum usable open space

Bus: Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons, and every motor vehicle other than a taxicab, designed and used for the transportation of persons for compensation.

Business and Professional Office: An office used primarily for correspondence, administration, research, training, editing, or the creation of written or graphic materials, or the office of an accountant, doctor (excluding veterinarians), dentist, attorney, real estate broker, insurance broker, architect, engineer, psychologist, or similar professional person. Business and professional offices shall not include retail sales, manufacturing, or fabrication except that which is accessory to a professional type use and is custom made, such as the making of dentures or the grinding of lenses for eye glasses.

Camping Trailer: A trailer, not used commercially, constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use.

Canopy: Any structure, movable or stationary, attached to and deriving its support from framework or posts or other means independent of a connected structure for the purpose of shielding a platform, stoop or sidewalk from the elements.

Car Wash: An establishment for the washing of motor vehicles, either by automatic or semi-automatic mechanical devices, or by providing space, water, equipment, or soap for the washing of more than one automobile at one time by customers.

Carry-Out Restaurant: An establishment whose principal business is the sale of foods or beverages to the consumer in a ready-to-consume state, usually served in disposable containers, and where consumption of such items on the premises is prohibited.

Cat Adoption Agency: A limited-admission, public 501(c)(3) non-profit organization, licensed and subject to inspection by the Illinois Department of Agriculture, registered with the Illinois Charity Bureau, and in accordance with the Animal Welfare Act and Humane Animal Care Act, that provides a community service to reduce the overpopulation of cats through the offering of rescue, rehabilitation, rehoming, behavioral assessment/ training, and pet ownership education services (not to include the boarding or veterinary care of the public's cats), by temporarily providing housing for cats in need at the facility, at partnering pet store locations, and in foster homes.

College: A school of higher learning accredited by the State of Illinois and equipped to qualify students for degrees of scholastic achievement.

Commercial Vehicle: Any vehicle classified as a vehicle of the second division, pursuant to the provisions of the Illinois Motor Vehicle Code, designed for carrying more than ten (10) people or designed or used for carrying freight or cargo and operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for hire or not for hire. It shall be prima facie evidence that a vehicle is a commercial vehicle if it bears second division vehicle registration (license) plates, except "RV" recreational vehicle registration plates, pursuant to the provisions of the Illinois Motor Vehicle Code.

Condominium: Property submitted to the provisions of the Condominium Property Act of the State of Illinois.

Contiguous: Parcels which are directly adjacent to each other, having a common lot line of at least 50 feet in length, shall be considered contiguous. Parcels separated by an alley shall also be considered contiguous if at least 50 feet of the full width of the alley right-of-way touches both parcels. Parcels separated by a public street shall not be considered contiguous.

Contractor's Heavy Equipment: Any and all motorized equipment used in the excavation or improvement of real property and in the construction of structures of any nature.

Convenience Filling Station: An establishment offering automotive fuels for retail sale; other items offered for sale may include lubricating oil, minor automobile accessories, and convenience food and drug items. Motor vehicle repair work or service of any kind, except emergency repairs, is prohibited.

Corner Lot: A lot which adjoins the point of intersection or meeting of two (2) or more streets and in which the interior angle formed by the street lines is one hundred thirty-five (135) degrees or less. If the street lines are curved, the angle shall be measured at the point of intersection of the extensions of the street lines in the direction which they take at the intersection of the street line with the side lot line and with the rear lot line of the lot. If the street line is curved at its point of intersection with the side lot line or rear lot line, the tangent to the curve at that point shall be considered the direction of the street line.

Curb Level: The "curb level" for any building is the level of the established curb in front of such building measured at the center of such front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the "curb level".

Dish Antenna: A dish-like antenna, also referred to as microwave antenna or microwave dish antenna, used to link communications sites together by wireless transmission of voice or data.

District: A section of the City of Wheaton for which regulations governing the height, volume, area and use of buildings and premises are the same.

Donation Drop Box: A receptacle used for the collection of used clothing, shoes, books and small household items donated by the public for redistribution.

Dry Cleaning and Laundry Depot: An establishment or business operated or maintained for the pick-up and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry cleaning equipment or machinery on the premises.

Dry Cleaning Plant: An establishment in which clothing and other fabrics are dry cleaned professionally.

DVD Vending Machine: A DVD vending machine is any receptacle used for the distribution and collection of DVD rentals to the public.

Dwelling Unit: One (1) or more rooms in a residential building or residential portion of a building which are arranged, designed, used or intended for use by one (1) family, and which includes cooking space and bathroom facilities reserved for the occupants thereof.

Family: Either (a) an individual or two (2) or more persons related by blood, marriage, or adoption, including foster children, living together as a single housekeeping unit in a dwelling unit; or (b) a group of not more than four (4) persons who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit; plus in either case, usual domestic servants. Any dwelling meeting the definition of a Group Care Home, four (4) unrelated individuals may reside in the same

dwelling unit along with one (1) additional staff member, for a total of five (5) unrelated individuals.

Fast Food or Drive-In Restaurant: An establishment whose principal business is the sale of food or beverages to the consumer in a ready-to-consume state for consumption either on or off the premises, and whose design or principal method of operation includes one or both of the following characteristics:

1. Food or beverages are served in disposable containers.
2. Foods or beverages are served directly to the customer in a motor vehicle.

Fence: A free-standing structure of metal, masonry, composition or wood or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement or screening.

Flashing Sign: Any directly or indirectly illuminated sign either stationary or moving, which exhibits changing light or color effects.

Floor Area: The sum of the gross horizontal areas of the several floors of a building, or a portion thereof, devoted to a use. Floor area shall be measured from the exterior wall surface, or from the center line of walls joining two rooms or buildings. The following shall be included in the computation of floor area, except as otherwise provided:

1. Any basement, cellar or attic floor space which is finished for use;
2. Interior balconies, mezzanines, and penthouses;
3. Porches which are enclosed and finished for year-round use;
4. Accessory storage areas within selling or working space, such as counters, racks, or closets;
5. Hallways, entryways, and waiting rooms.

The following may be excluded from the computation of floor area:

1. Floor space devoted primarily to the housing of mechanical or electrical equipment;
2. Floor space devoted primarily to storage, except accessory storage as described above;
3. Floor space devoted to off-street parking or loading facilities;
4. Stairwells, landings and elevator shafts.

Where any building consists of, or is devoted entirely to the housing of mechanical or electrical equipment (commonly referred to as a public or private utility substation), the sum of the gross horizontal area of said building shall be its floor area.

Floor Area, Gross: For the purpose of determining Floor Area Ratio, the gross floor area of a building or buildings shall be the sum of the horizontal areas of the several measured from exterior faces of exterior walls, without deduction for hallways, stairs, closets, thickness of walls, columns, and shall also include the following:

1. A basement or cellar having more than three and one-half (3½) feet in height above adjacent grade around fifty percent (50%) or more of the basement perimeter.
2. In the case of a basement or cellar not fitting the description of subsection 1 above, but having normal direct access to the outside not through another floor, one-half (½) of the basement or cellar area shall be included.
3. An attic, the space between the ceiling beams of the top story and the roof rafters, which has a fixed stairway as a means of access and a height of seven and one-third (7⅓) feet above the attic floor.
4. Interior balconies and mezzanines.
5. Enclosed porches and sun rooms.
6. Roofed-over decks, patios, porches, and stairs.
7. Unroofed decks, patios, porches, and stairs over four (4) feet above the average grade of adjoining ground.
8. All square footage in excess of five hundred (500) square feet in any detached or attached garage or other accessory structure.

Floor Area Ratio: The numerical value obtained through dividing the gross floor area of a building or buildings by the total area of the lot on which such building or buildings are located.

Frontage: The length of a front lot line or lines.

General Standards: Those regulations listed under each separate use district under the heading "Standards" plus the regulations contained in Article III (Zoning Districts), Article XXII (Off-Street Parking and Loading), Article XXIII (Signs), Article XXIV (Accessory Uses and Home Occupations), and Article XXV (Performance Standards).

Grade Level: A horizontal reference plane representing the average finished ground level at a perimeter which is four (4) feet from the exterior walls of the building.

Ground Sign: A sign self-supported by posts or other supports independent of any building or structure.

Group Care Home: Group Care Home means (a) one residential dwelling maintained as a single housekeeping unit occupied by special needs individuals or (b) no more than two residential dwellings occupied by special needs individuals on the same zoning lot each being operated as a separate housekeeping unit but both being under the control and management of a single not-for-profit organization. In both instances no more than

a total of 15 persons, including caregivers, shall occupy one residential dwelling or two residential dwellings in combination with each other. The total number of occupants of a Group Care Home may be further limited by the conditions of the Special Use Permit where lawful. The occupants of a Group Care Homes are not required to meet the definition of a "Family" as set forth in the Zoning Ordinance. Notwithstanding other provisions of this Zoning Ordinance, two dwellings on a single zoning lot shall not require five hundred (500) feet of separation. A Group Care Home of two dwellings on a single zoning lot shall satisfy the bulk regulations, parking requirements, and other requirements and standards applicable to the zoning district and zoning lot as if the two dwellings were one. A group care home dwelling may have separate bath and kitchen facilities for live in staff. For purposes of this definition the term "special needs individuals" includes, but is not limited to, developmentally disabled persons, alcoholics, the mentally ill, or other persons participating in counseling, respite or rehabilitation programs. Group Care Homes shall provide a program structured to meet the social, rehabilitative, and respite needs of persons residing therein, in a residential community setting.

Prior to admitting residents, the Group Care Home shall file for and obtain a license from the appropriate Federal, State, or County agencies. If no license is required by a Federal, State, or County agency, the Group Care Home shall file for and obtain a Group Care Home license as provided for by Chapter 26 of the Wheaton City Code. A valid existing Federal, State, County or City license shall be a condition precedent to the issuance of a Special Use Permit.

Prior to admitting residents, the Group Care Home shall obtain a letter approving the occupancy from the City Planner, pursuant to certifying that all codes and standards have been satisfied. The Group Care Home shall house such staff persons as is required to meet the standards of the licensing agencies. A foster care home shall not be classified as a Group Care Home, unless it fails to meet the definition of "Family" contained in Article II of this ordinance.

Height, Maximum: The vertical distance from grade level to the highest part of a building or structure. The following may exceed the maximum height limitations:

1. Chimneys, flues, stacks, fire escapes, elevator enclosures, ventilators, skylights, antennas, and similar roof structures required to operate and maintain the building on which they are located, except as specifically regulated by this ordinance.
2. Flag poles, antenna towers and aerials, water towers and tanks, steeples, monuments, cupolas, silos, and barns.

Historical and Architectural Education Centers: A facility within an existing structure not less than fifty (50) years old and owned and operated by an entity no part of the income of which is distributable to its members, directors, or officers and whose principal location is within the City of Wheaton, Illinois, and whose purpose is the promotion of

the public awareness of, and the providing of educational resources for, Wheaton history and architecture.

Uses of said center shall include any two (2) or more of the following:

1. Resource library;
2. Archive storage;
3. Displays and exhibits;
4. Meetings and classes.

An additional use may include one (1) dwelling unit. Any signs on the real estate or improvements thereon shall conform to the provisions of Section 23.4 and 23.4.1.

Hotel/Motel: A building with 21 or more guest rooms offering temporary lodging for compensation for a period of one day or more, with or without restaurants, shops, and meeting rooms, open to the public; further controlled by conditions of Special Use.

Identification Sign: A sign identifying the business conducted on the premises.

Inn: A building containing guest rooms offered to the public for compensation, limited to the following:

1. No more than twenty (20) guest rooms shall be provided.
2. Customary Inn services, such as maid, telephone, secretarial and desk services, laundering of linens, food and cooking service including a restaurant, with service in the guest rooms or any designated area.

The use and operation of a restaurant for persons other than guests occupying any of the guest rooms shall be specifically authorized, if at all, and regulated pursuant to the provisions of any Special Use Permit authorizing the use and operation of an Inn.

3. Meeting rooms for business and non-business uses, with incidental food service, available to guests or the public for compensation; provided, however, the meeting rooms shall not; (1) be the primary purpose of use of the Inn; (2) exceed twenty-five percent (25%), in gross measurement, of the gross floor space of the entire Inn.

The number of people occupying the meeting rooms, and the hours of use and operation of the meeting rooms, shall be regulated pursuant to the provisions of any special use permit authorizing the use and operation of an Inn.

4. Signs shall not exceed ten square feet (10') in area and shall not have internal illumination.

Kennel: An establishment where four (4) or more dogs or cats are bred, trained, or boarded, each having an age of four (4) months or more.

Laundry: An establishment in which clothing and other fabrics are laundered professionally.

Lawful Non-Conforming Use: A use lawfully established prior to the passage of this ordinance or any amendment to it prohibiting such use.

Linear Lighting: All types of illumination, static or flashing, internal or external, fully or partially outlining architectural features such as doors, windows, walls, wall edges or other structural/building elements and which may attract attention or be used as a means of identification or marketing, not including holiday decorations. All holiday decorations shall comply with the City adopted National Electric Code. Linear lighting shall not be used as security lighting or ingress/egress lighting.

Loading Dock: A platform for loading or unloading goods or materials between vehicles and buildings or structures.

Lot: A parcel of land which is either a "Lot of Record" or a "Zoning Lot".

Lot Coverage: That percentage of a lot which, when viewed directly from above, would be covered by a building or buildings or any part thereof, excluding open steps, terraces and cornices projecting not more than .76 meters (thirty inches).

Lot Depth: The distance between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot Line: Lot boundary line. See Lot Line, Front; Lot Line, Rear; Lot Line, Side.

Lot Line, Front: A street line forming the boundary of a lot. For corner lots, the front lot line shall be the shortest lot line fronting on the streets. Lots having two street lines generally parallel to and opposite each other, forming the boundaries of the lot, shall be considered to have two front lot lines. (Such lots are commonly known as double frontage lots or through lots).

Lot Line, Rear: The lot line that is most distant from, and is, or is most nearly, parallel to the front lot line. If a rear lot line is less than fifteen (15) feet (4.57 m.) long, or if the lot comes to a point at the rear, the rear lot line shall be a line at least fifteen (15) feet (4.57 m.) long, lying wholly within the lot, parallel to the front lot line.

Lot Line, Side: A lot line which is neither a front lot line nor a rear lot line.

Lot of Record: An area of land which is designated as a separate platted subdivision lot in a subdivision plat recorded in the office of the County Recorder of Deeds.

Lot Size: The area of a horizontal plane bounded by the front, side and rear lot lines.

Lot Width: The distance between the side lot lines, as measured by a straight line drawn between the intersections of the side lot lines with the established front setback line.

Lot, Zoning: A single tract of land in common ownership located within a single block, which is used or occupied for any principal use, whether permitted, special or nonconforming. A "Zoning Lot" need not coincide with a Lot of Record, and may consist of:

1. A single Lot of Record;
2. A portion of a Lot of Record;
3. A combination of complete Lots of Record; of complete Lots of Record and portions of Lots of Record; or of portions of Lots of Record; and/or
4. A piece of property described by metes and bounds.

Masonry Materials: Shall mean and include brick, pre-cast concrete, textured concrete block, stone, or other masonry material of equal characteristics. The term Masonry Materials does include brick and stone veneer. The term Masonry Materials does not include stucco, whether cementitious or synthetic or cementitious siding or panels.

Minimum Setback: See Setback, Minimum.

Mortuary: A funeral home.

Mother and Infant Support Center: A Facility operated by a non-governmental organization providing on-site residential, training, counseling and personal care services to women who are pregnant or who have infant children, and providing on-site personal care services to infant children of women residing in the facility.

Motor Home, Mini Motor Home, or Van Camper: A self-contained motor vehicle, not used commercially, designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk-through access to the living quarters from the driver's seat.

Moving Sign: Any sign, all or part of which moves, rotates or gives the illusion of movement.

Multiple Family Dwelling: Any building or portion thereof providing two (2) or more separate dwelling units.

Nameplate: Any sign not exceeding 929 square centimeters (one (1) square foot) in area indicating the name and/or address of each occupant, and, where applicable, a professional status, but not indicating a product or business.

Non-Residential Use or Building: Any use or building other than a residential use or building.

Noxious Matter: A substance which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects on the physical well-being of individuals.

Nursery School: A child care facility receiving more than eight children for daytime care during all or part of the day. The term "nursery school" includes facilities called "day care centers", "child care centers", "day nurseries", "kindergartens", and "play groups", with or without stated educational purposes.

The term does not include (a) kindergartens or nursery schools or other daytime programs operated by public or private elementary school systems or secondary level school units or institutions of higher learning; (b) facilities operated in connection with a shopping center or service, or other similar facility, where transient children are cared for temporarily while parents or custodians of the children are occupied on the premises, or are in the immediate vicinity and readily available; (c) special activities programs, including athletics, crafts instruction and similar activities conducted on an organized and periodic basis by civic, charitable and governmental organizations.

Odor Threshold: A concentration of odorous substance in the air which will produce an odor sensation.

Office: See Business and Professional Offices.

Outbuilding: A business or commercial use part of, but not attached to, the main unified center, which may or may not be on a separate subdivided lot.

Outdoor Storage: The storage of goods and materials outside of any building or structure, but not including storage of a temporary or emergency nature.

Outdoor Storage Unit, Temporary Portable: A temporary outdoor portable storage unit means any unit including but not limited to, a trailer, box, or shipping container, which is typically rented to owners or occupants of property for their temporary outdoor storage use and which is delivered and removed by truck.

Parking Bay: A row of parking spaces with one access aisle.

Parking Space: A space for the on-street or off-street parking of a single motor vehicle.

Parking Space, Tandem: A space for the off-street parking of a motor vehicle which does not have a direct means of access to a drive aisle.

Particulate Matter: Dust, smoke or any other form of airborne pollution in the form of minute separation particles.

Personal Wireless Service. Any technology defined in 47 U.S.C. 332(c)(7) , and as may be amended from time to time, including commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, provided to personal mobile communication devices through wireless Facilities or any fixed mobile

wireless services provided using personal wireless Facilities.

Personal Wireless Service Facilities or Facility. As defined in the same manner as in Title 47, United States Code, Section 332(c)(7)(C), as amended now or in the future including equipment at a fixed location that enables Personal Wireless Service between user equipment and a communications network, including but not limited to: (A) equipment associated with Personal Wireless Services such as private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul; and B) Transmission Tower, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies and comparable equipment, regardless of technological configuration.

Placard Sign: A temporary sign made of cardboard, lightweight plastic, or similar material, mounted out-of-doors and intended to be used during a sale, promotion, or special event. A permanent sign with changeable copy such as a reader board with changeable letters, or a permanent framework designed to hold changeable panels so as to prevent their movement by the wind, shall not be considered a placard. All such signs shall be subject to the requirements of this ordinance.

Principal Building: A building in which the principal or primary use on the lot is conducted.

Principal or Primary Use: The main use of land or buildings as distinguished from a subordinate or accessory use. Where a building contains more than one use, the principal or primary use shall be that which occupies the greatest floor area. If the floor area is evenly divided between different uses, the use having the greatest floor area on the first floor or story shall be the principal or primary use.

Private Club: An association organized and operated not-for-profit, for persons who are bona fide members paying annual dues, which owns, hires, or leases premises, the use of such premises being restricted to such members and their guests. The affairs and management of such association are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting. The serving of food and meals on such premises is not prohibited, provided adequate dining room space and kitchen facilities are available.

Project Review Committee: A committee consisting of members from the Board of Zoning Appeals, the Plan Commission and the City Council. The committee informally provides the developer with information as to planning and zoning guidelines applicable to the proposed development.

Project Review Package: An administrative checklist used for reviewing applications for Planned Unit Developments.

Publisher: A business establishment engaged in the preparation of copy for literary or advertising materials and the like and which may include the use of linotype or other

typesetting equipment and proof presses, but not production printing for sale as a service or product.

Rear Lot Line: See Lot Line, Rear

Rear Wall: See Wall, Rear

Rear Yard: See Yard, Rear

Recreational Vehicle: Every camping trailer, motor home, mini motor home, travel trailer, truck camper, portable camping units designed to be loaded onto the bed of a vehicle whether loaded onto the bed of the vehicle or not, and boat trailer used primarily for recreational purposes and not commercially. It shall be prima facie evidence that a vehicle is a recreational vehicle if it bears recreational ("RV") registration license plates.

Research Laboratory: A building in which are located facilities for scientific research, investigation, testing, or experimentation, but not including facilities for the manufacture of products for sale or further distribution.

Residential Use or Building: A building or use consisting of a dwelling unit or units, and accessory uses, such as rental or maintenance offices and recreational, laundry, or other facilities reserved for the use of residents and their guests. Residential uses or buildings shall not be deemed to include hostelrys, house trailers, lodging houses, dormitories, sororities and fraternities, nurse's residences, sanitariums, nursing homes, and convalescent homes.

Restaurant: An establishment whose principal business is the sale of foods or beverages to the customer in a ready-to-consume state, and whose design or principal method of operation includes one or both of the following characteristics:

1. Customers, normally provided with an individual menu, are served by a restaurant employee at the same table or counter at which said items are consumed.
2. A cafeteria-type operation where foods and/or beverages generally are consumed within the restaurant building.

Right-of-Way: Land located between property lines which is dedicated for use as a public thoroughfare.

Roof Sign: Any sign erected upon a building or structure which extends over the roof line of a building or structure.

Screening: Fencing or dense vegetation maintained for the purpose of concealing from view the area behind such fencing or dense vegetation throughout the year.

Semi-Trailer: Every vehicle without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Senior Citizen Home Sharing Facility: A residential dwelling, maintained as a single housekeeping unit, occupied primarily by persons 60 years of age and older, wherein the total number of occupants exceeds that which would be permitted by the definition of "Family", as contained in Article II, and "Particular Home Occupations Permitted", as contained in Article XXIV. The maximum number of occupants shall not exceed fifteen (15), and may be further limited as a condition of a Special Use Permit.

Such a facility shall not include care facilities such as nursing homes, sheltered care homes, or similar facilities as defined and regulated by the Illinois Revised Statutes. Such a facility shall comply with the bulk regulations, parking requirements, and other requirements and standards applicable to residential use.

Senior Housing Development: A residential development containing building or buildings for the care of the aged comprising of one or more of the following components:

Independent living – Residences targeted towards seniors that are generally the same as non-senior attached living units (i.e. apartments and condominiums) but with added communal facilities within the building, such as common dining and recreation areas.

Assisted living – Residences designed for people who cannot live independently but are not in need of the frequent and/or intense medical assistance commonly associated with skilled care. Assisted living residents require help with day-to-day activities, such as with bathing and dressing. This type of facility also includes communal areas such as common dining and recreation areas.

Skilled care – Residences for individuals in need of relatively frequent and/or intense medical assistance. This type of facility also has some communal facilities, but to a lesser degree.

Setback: The distance between the lot line and buildings or other uses on the lot.

Sign: A display, emblem, device or structure used to identify or advertise a business, product, service, event, institution, organization, location or individual.

Single Family Dwelling: A residential building containing only one dwelling unit.

Single Ownership: Ownership by an individual, partnership, corporation, cooperative, or condominium having control over exterior maintenance of buildings and grounds.

Single-User Lot: A building located on a single lot with a single business or commercial use.

Skateboard Ramp: Any outdoor structure(s) designed and principally intended to permit persons on skateboards to move continuously from one side to the other; commonly known as ramps or pipes.

Special Use: See Article V.

Specialty School: Schools offering instruction in languages, visual and performing arts, business skills, crafts and other similar specialties, but excluding any instruction involving the use of heavy machinery or any instruction conducted out-of-doors.

Story: The portion of a building included between the surface of any floor and the floor or roof next above. A mezzanine shall be considered a story if it exceeds 33⅓ percent of the area of the floor immediately below. A penthouse shall be considered a story if its area exceeds 33⅓ percent of the roof area.

Story, Half: A half story may consist of either:

1. A basement or cellar having more than 2 feet, but not more than 6 feet of its floor surface to clear ceiling height above grade.
2. A partial story under a sloping roof, having the intersection of its wall and roof decking on two opposite walls not more than 4 feet above its floor surface, and having an area of not more than 60% of the floor area of the story immediately below.

Street Line: A line forming the boundary of the right-of-way of an existing or dedicated street.

Structural Alteration: Any change other than incidental repairs, which would prolong the life of supporting members of a building, or other structure, such as bearing walls or bearing partitions, columns, beams or girders.

Tandem Parking Space: A space for the off-street parking of a motor vehicle which does not have a direct means of access to a drive aisle.

Tow Truck: Every truck designed or altered and equipped for an used to push, tow, or draw disabled vehicles by means of a crane, hoist, tow bar, tow line, or auxiliary axle, and to render assistance to disabled vehicles.

Tower: A monopole structure, erected on the ground, used primarily to support reception and transmission equipment including any accessory mechanical or electronic equipment attached to the supporting structure that is required for the operation of the reception or transmission equipment, but also including any accessory structures used solely for the housing of the equipment mounting structure and its accessory equipment. The definition of tower shall not include guyed or lattice towers.

Toxic Matter: A substance which is capable of causing injury to living organisms by chemical means when present in relatively small amounts.

Trailer: Every vehicle without motive power in operation, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no significant part of its weight rests upon the towing vehicle.

Travel Trailer: A trailer, not used commercially, designed to provide living quarters for recreational, camping, or travel use, and of a size or weight not requiring an over dimension permit when towed on a highway.

Truck Camper: A truck, not used commercially, when equipped with a portable unit designed to be loaded onto the bed which is constructed to provide temporary living quarters for recreational, travel or camping use.

Truck Tractor: Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Usable Open Space: Any open space, the smallest dimension of which is at least seven feet (2.134 m.) and which is not used for storage or for parking or movement of motor vehicles. Yards abutting a public street which are adequately screened for privacy, shall qualify as usable open space. Balconies, porches or roof decks may be considered usable open space, if usable for work, play or outdoor living areas. At least seventy (70) square feet (6.5 sq. m.) of required open space shall be contiguous to and provide for private usage of the individual dwelling unit.

Unified Center: A building or buildings located on a single lot which has at least two (2) separate businesses or commercial uses.

Use: Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; also, 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.

Variations:

1. Administrative Variation: Any variation to decrease any setback or any minimum yard dimension by less than or equal to 25% or five feet, whichever is less, or to increase the maximum height required by the applicable provisions, which is heard and decided by the Director of Planning & Economic Development.
2. Non-administrative variation: any administrative variation that has been denied or any other modification that does not qualify as an administrative variation.

Vibration: The periodic displacement of earth.

Virtual Reality Gaming Arcade: A business with individual booth spaces with virtual reality headsets and related computer equipment available for customers to play virtual reality computer games as set up and monitored by the employees of the Arcade.

Wall, Front: The wall of a building which is nearest to, and most nearly parallel to, the front lot line of the lot on which the building is located.

Wall, Rear: The wall of a building which is nearest to, and most nearly parallel to, the rear lot line of the lot on which the building is located.

Wall, Side: Any wall of the building other than a front wall or rear wall.

Wall Sign: A sign on a wall of a building or structure in such a manner that the wall becomes merely the supporting structure, or in which the wall forms the background surface.

Width, Lot: See Lot Width.

Yard: That portion of a lot which is not occupied by the primary structure.

Yard, Front: A yard extending along the full length of a front lot line and back to a line drawn parallel to the front lot line at a distance therefrom equal to the depth of the required front yard.

Yard, Rear: A yard extending along the full length of the rear lot line and back to a line drawn parallel to the rear lot line at a distance therefrom equal to the depth of the required rear yard.

Yard, Side: A yard extending along a side lot line and back to a line drawn parallel to the side lot line at a distance therefrom equal to the width of the required minimum side yard, but excluding any area encompassed within a front yard or rear yard. Dimensions of minimum side yards specified in the district regulations of this ordinance refer to the required width of each side yard rather than to the total width of both side yards, unless otherwise specified.

Zoning: The division of the City into districts and the application of use and bulk regulations in each district prescribing the manner in which land and air rights can be used and developed.