
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2024- 034**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, AMENDING CHAPTER 165 OF THE
CODE OF ORDINANCES REGARDING USE DISPERSAL
STANDARDS**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGEE
CANDACE CARR
JOSH ROLL**

Aldermen

ORDINANCE NUMBER 2024-034

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,
AMENDING CHAPTER 165 OF THE CODE OF ORDINANCES REGARDING USE
DISPERSAL STANDARDS**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing city created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and the Aldermen of the City of Blue Island previously adopted the Blue Island Zoning Ordinance of 1971 (the “*Zoning Code*”), which is codified in Chapter 165 of Title XV of the Code of Ordinances of the City (the “*City Code*”); and

WHEREAS, a text amendment application has been submitted by the City requesting an amendment to Chapter 165 of the City Code establishing new use dispersal standards (the “*Proposed Amendment*”); and

WHEREAS, the Planning and Zoning Board of Appeals (“*PZBA*”) held a public hearing on July 11, 2024 (the “*Public Hearing*”) as to whether the Proposed Amendment should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said Public Hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said Public Hearing; and

WHEREAS, the PZBA has filed its findings of fact and recommendations that the Proposed Amendment be granted, as amended, and the Mayor and Aldermen of the City have duly considered said findings of fact and recommendations, and

WHEREAS, the Mayor and Aldermen of the City have determined that adoption of the Proposed Amendment, as amended and with further amendments by the Mayor and Aldermen, is advisable and in the best interest of the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Aldermen of the City of Blue Island, Cook County, Illinois as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. That the Mayor and Aldermen of the City hereby adopt by reference the findings of fact of the Planning and Zoning Board of Appeals as findings of the Mayor and City Council as if completely set forth herein. All documents and exhibits submitted at the aforesaid Public Hearing is also incorporated by reference into this Ordinance.

Section 3. That the Mayor and Aldermen find and determine that the adoption of this Ordinance is in the best interests of the City as well as in the public interest.

Section 4. That Chapter 165 (“Zoning Code”) of Title XV (“Land Usage”) of the Blue Island Code of Ordinances is hereby amended by adding Section 165.035 (“Use Dispersal Standards”) and its underlined language, to read as follows:

§ 165.035 USE DISPERSAL STANDARDS.

(A) Purpose and intent. The dispersal standards contained in this Section exist to prevent the clustering of certain uses to promote diversification within zoning districts and increase the availability of uses that will benefit the health, safety, and welfare of residents.

(B) Applicability.

(1) Dispersal standards contained in the table below shall apply to all proposed new uses, measuring the distance of that new use from all pre-existing uses of the same description. New uses shall be prohibited if the distance between the new use and a pre-existing use of the same description is equal to or less than the dispersal standard listed for that category

or use. For the purposes of this Section, distance shall be measured in a straight line between the nearest point on the lot line occupied by the pre-existing use to the nearest point on the lot line to be occupied by the proposed new use.

(2) The dispersal standards apply irrespective of whether a particular proposed use is permitted by right or permitted by special use.

(3) The dispersal standards apply to uses not listed in the table below if the proposed use is similar to a listed use, as determined by the Zoning Administrator (for permitted uses) or the Planning and Zoning Board of Appeals (for special uses).

(4) If a conflict exists between a dispersal standard listed in this Section and a dispersal standard listed elsewhere in the Blue Island Code of Ordinances or Illinois statutes, the larger distance shall apply.

(C) Table of Dispersal Standards.

<u>Use</u>	<u>Minimum Dispersal Standard (feet)</u>
All uses in "Group Residential" category except "Assisted Living Facility, Congregate Care, Nursing Home"	2,500
All uses in "Adult Business" category	2,500
All uses in "Adult-Use Cannabis Business" category	1,500
Barber Shop	1,000
Billboards	500
Check Cashing, Payday or Title Loan Shop	2,500
Community Home	1,500
Currency Exchange	2,500
Hair Salon (i.e., beauty shop or beauty parlor)	1,000
Liquor Store (i.e., package goods)	1,000
Pawn Shop	5,000
Small Box Store	5,000
Tattoo Parlor, Tattoo Studio, Body Piercing	1,000
Tobacco/Vape Store	2,500
Transitional Residence, Sober House	1,500

(D) Variations. Variations from the regulations of this Section shall be considered an Authorized Variation under Section 165.086, subject to the procedures contained therein.

Section 5. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 6. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. This Ordinance shall be in full force and effect immediately upon its passage and approval to ensure the public health, safety and welfare of the residents of the City.

[Continued on Next Page]

ADOPTED this 27TH day of AUGUST, 2024, pursuant to roll call as follows:

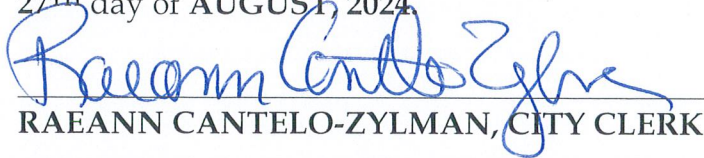
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD	X				
Alderman RITA			X		
Alderman MONTOYA	X				
Alderman MCGEE	X				
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	6		1		

APPROVED by the Mayor on AUGUST 27, 2024.



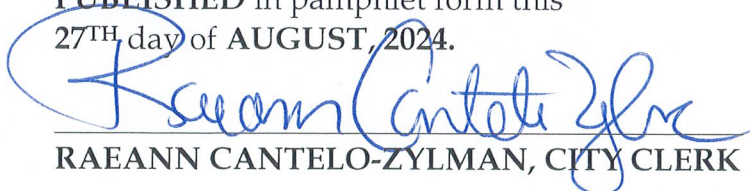
FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
27TH day of AUGUST, 2024.



RAEANN CANELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
27TH day of AUGUST, 2024.



RAEANN CANELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, RAEANN CANTELO-ZYLMAN, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **August 27, 2024**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2024-034**.

Entitled:

AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING CHAPTER 165 OF THE CODE OF ORDINANCES REGARDING USE DISPERSAL STANDARDS.

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2024 - 034** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **August 27, 2024**, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **27TH** day of **August, 2024**.

CORPORATE SEAL


CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss.

CERTIFICATION

I, RAEANN CANTELO-ZYLMAN, DO HEREBY CERTIFY THAT I am the duly elected City Clerk of the City of Blue Island, Illinois, as such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of the said City and have in my custody the ORDINANCE and BOOKS of the records of said City.

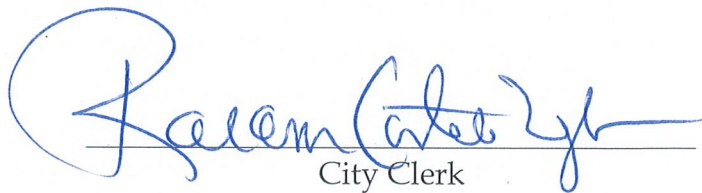
I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of the certain **2024 - 034** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, AMENDING CHAPTER 165 OF THE CODE OF ORDINANCES REGARDING USE DISPERSAL STANDARDS.**

ORDINANCE NO. 2024-034 which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **27TH day of AUGUST, 2024**; that at said meeting **6** Alderman were present; that at said meeting, on motion duly made and seconded that the Ordinance did pass and on the roll being called the vote of each Aldermen present on the question of the passage of said Ordinance was duly and separately taken by Ayes and Nays and their names and votes recorded in the minutes of **6** Alderman voted Aye and **0** Alderman voted Nay and **0** Alderman voted Abstain and **1** Alderman Absent.

I DO FURTHER CERTIFY that the original Ordinance which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the said City in the County and State aforesaid, this **27TH day of AUGUST, 2024**.

CORPORATE SEAL


City Clerk

§ 165.003 DEFINITIONS.

ABUTTING

Having a common boundary or edge; touching.

ACCESS EASEMENT

An easement recorded for the purposed of providing vehicle, bicycle, and pedestrian access from a public street to a parcel across intervening property under separate ownership from the parcel being provided access.

ACCESSIBLE

Accessible means approachable and useable by people with disabilities and in conformance with the Americans with Disabilities Act.

ACCESSORY

A use or structure that is secondary or incidental to a primary use or structure.

ACCESSORY BUILDING

Accessory building shall include, but is not limited to, the following: a children's playhouse; a garage, carport, shed or building for storage incidental to a permitted use; storage of goods used in or produced by manufacturing activities on the same zoning lot with such activities, unless such storage is excluded by the district regulations; the production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to a retail service of a business use if conducted by the same ownership as the principal use; private guest house (without kitchen facilities) or rooms for guests within an accessory building; provided such facilities are used for the occasional housing of guests of the occupants of the principal building and not for permanent occupancy by others as housekeeping units, whether or not gratuitous; off-street motor vehicle parking areas and loading facilities; and signs as permitted and regulated in each district.

ACCESSORY PARKING FACILITY

A parking facility that provides space for a specific use or uses to comply with minimum off-street parking requirements. It also includes non-required parking that may serve occupants of or visitors to a particular use exclusively, rather than the public at-large.

ACCESSORY STRUCTURE

A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure. Accessory structures are detached from the primary structure. Examples of accessory structures include but are not limited to: garages, decks, fences, arbors, gazebos, heat pumps, and other structures. See also Primary Structure.

ACCESSORY USE

A use or activity that is a subordinate part of a primary use and that is clearly incidental to a primary use on a site.

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ADDRESS

A number assigned to a housing unit, business establishment, or other structure for purposes of mail delivery, emergency services, and so forth.

ADULT BOOK STORE

An establishment having a substantial or significant portion of its stock in trade, books, magazines and other periodicals 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. (added by Ord. 2482, passed 10/9/79)

ADULT ENTERTAINMENT CABARET

A public or private establishment which is licensed to serve food and/or alcoholic beverages, which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers. (added by Ord. 2482, passed 10/9/79)

ADULT MINI MOTION PICTURE THEATER

An enclosed building with a capacity for less than 50 persons used for presenting materials 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. (added by Ord. 2482, passed 10/9/79)

ADULT MOTION PICTURE THEATER

An enclosed building with a capacity of 50 or more persons used for presenting material 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. (added by Ord. 2482, passed 10/9/79).

ADULT SPECIFIED ANATOMICAL AREAS

Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; also, human male genitals in a discernibly turgid state, even if completely and opaquely covered.

ADULT SPECIFIED SEXUAL ACTIVITIES

Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

ADULT-USE CANNABIS BUSINESS ESTABLISHMENT

An adult-use cannabis cultivation center, adult-use cannabis craft grower, adult-use cannabis processing organization, adult-use cannabis infuser organization, adult-use cannabis dispensing organization or an adult-use cannabis transporting organization.

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ADULT-USE CANNABIS CRAFT GROWER OR CRAFT GROWER

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at an adult-use cannabis dispensing organization or use at an adult-use processing organization, and as further defined in the Cannabis Regulation and Tax Act, being 410 ILCS 705/1-1 et seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS CULTIVATION CENTER OR CULTIVATION CENTER

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform other necessary activities to provide cannabis and cannabis-infused products to licensed adult-use cannabis business establishments, and as further defined in the Cannabis Regulation and Tax Act, being 410 ILCS 705/1-1 et seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS DISPENSING ORGANIZATION OR DISPENSING ORGANIZATION

A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed adult-use cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, and as further defined in the Cannabis Regulation and Tax Act, being 410 ILCS 705/1-1 et seq., as it may be amended from time to time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, and as further defined in the Cannabis Regulation and Tax Act, being 410 ILCS 705/1-1 et seq., as it may be amended from time to time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR

A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, and as further defined in the Cannabis Regulation and Tax Act, being 410 ILCS 705/1-1 et seq., as it may be amended from time-to- time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTATION ORGANIZATION OR TRANSPORTER

An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of an adult-use cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, and as

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further defined in the Cannabis Regulation and Tax Act, being 410 ILCS 705/1-1 et seq., as it may be amended from time-to-time, and regulations promulgated thereunder.

ADVERSE IMPACT

Negative results or outcomes caused by a given land use or activity that can be measured (e.g., noise, air pollution, vibration, dust, property values, etc.).

ALLEY

A right-of-way that provides vehicle access to a lot or common parking area. Generally, alleys provide secondary vehicle access; however, where vehicle access from the street is not allowed, not possible, or not desirable the alley may provide primary vehicle access.

ANIMAL HOSPITAL

A building that is used for the care, observation or treatment of domestic animals.

ANTENNA

Any structure designed for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication, or other signals from other antennas, satellites, or other services.

APPLICANT

A person who applies for a building or zoning permit. An applicant may be a property owner or a representative of the owner, such as a builder, developer, optional purchaser, consultant, or architect.

ARCADE

An arched or covered passageway; often along building fronts or between streets.

ARCHITECTURAL COMPOSITION

The scale, height, mass, proportion, color, form, style, detail, treatment, texture, construction material, and roof design of a project or building.

ART GALLERY

Premises used principally for the sale, display and exhibition of fine arts and craft products. An art gallery may include accessory production or instruction in the production of arts and crafts using paint, clay, fabric or other medium, but does not involve the use of electrical tools or processes.

ARTISAN WORKSHOP

A use primarily involving the limited on-site production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment. Typical production includes: custom furniture, ceramic studios, glass blowing, candle making, custom jewelry, stained and leaded glass, woodworking, custom textile manufacturing and crafts production.

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ARTIST LIVE/WORK SPACE

A dwelling unit in which up to 50% of the floor area is used for the production, showing, and sale of art.

AS-BUILT PLAN

An engineering plan prepared after the completion of a construction project, by the engineer of record, in such a manner as to accurately identify and depict the location of all on-site improvements, which includes but is not limited to all structures, parking facilities, detention/retention areas, curbs, gutters, and sidewalks.

ASSISTED LIVING FACILITY (NURSING HOME)

A residence for the care of children, the elderly, infirm, incurable or convalescent of any age in which more than three (3) persons are provided with food, lodging and medical care, but not including hospitals, clinics or group homes.

ATTACHED STRUCTURE

Any structure that is attached to another structure by a common wall, roof, or by structural connections that allow pedestrian access to both structures. For example, decks or stairways are attached structures when they are connected to another structure. A garage may be attached to another structure by sharing a wall or by a breezeway.

AUCTION HOUSE

A building used for the public sale of goods, wares, merchandise, or equipment to the highest bidder. An auction house shall not include the sale of vehicles.

AUTOMOBILE-DEPENDENT DEVELOPMENT

Primary or accessory uses servicing motor vehicles, or patrons in motor vehicles, such as motor vehicle repair, gas station, car wash, auto and truck sales, drive-up windows, kiosks, and similar uses.

AWNING

An architectural projection that provides weather protection, identity, or decoration and is wholly supported by the building to which it is attached. A structure of canvas, canvas-like or other materials extended over a window or door or over a patio, deck, and the like as a protection from the sun or rain.

- B -

BANQUET HALL

A building or portion thereof, the principal use of which is for events which are hosted for one-time, special or occasional events. Typical examples of such one-time, special or occasional events include: banquets, luncheons, receptions, weddings, birthdays, retirement, anniversaries and similar celebrations and commemorations; fashion and other artistic demonstrations; educational seminars, classes and conferences. Such a use may or may not include: (1) kitchen facilities for the preparation or catering of food and (2) the provision of alcoholic beverages for on-premises

§ 165.003 DEFINITIONS.

consumption, but only for patrons attending any such scheduled events and provided any licenses required by the City have been obtained in advance. [Ophelia's Banquets]

BED AND BREAKFAST

An owner-occupied, detached house or an owner-occupied dwelling unit within a multi-unit residential building that does not exceed 4 stories in height and contains no more than 11 sleeping rooms or an owner-occupied condominium, townhouse or cooperative in which 11 or fewer sleeping rooms are available for rent on for hire for transient occupancy by registered guests. For purposes of this definition, the term "bed and breakfast" does not include single-room occupancy buildings. If the bed and breakfast is a detached house located on a lot that includes a principal house and an accessory building that was being used for residential purposes the accessory building that will be considered to be part of the establishment.

BIO SWALE

A gently sloped landscaped swale generally designed to retain and temporarily store a specific quantity of stormwater runoff, which is planted with native vegetation to enhance infiltration, filtration, and pollutant removal from surface runoff water.

BLIGHT

Unightly condition including the accumulation of debris, litter, rubbish, or rubble; fences characterized by holes, breaks, rot, crumbling, cracking, peeling, or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or damaged; and any other similar conditions of disrepair and deterioration regardless of the condition of other properties in the neighborhood.

BUILDING

Any structure that is permanently affixed to the land and built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

BUILDING COVERAGE (LOT COVERAGE)

The amount of a lot covered by buildings.

BUILDING FOOTPRINT

The outline of a building, as measured around its foundation, or Building Coverage, whichever is greater.

BUILDING OFFICIAL

The person who enforces the building ordinances and regulations for the city, and other ordinances and regulations as assigned.

BUILDING PERMIT

An official document or certification that is issued by the building official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, erection, demolition, moving, or repair of a building or structure.

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BULK

The size and mutual relationships of a building or structure and the location of same with respect to: size and height of the building; location of exterior walls at all levels in relation to lot lines, streets, or other buildings; gross floor area of the building in relation to the lot area; all open space allocated to the building. The total volume of a structure.

BUSINESS LICENSE

A certificate issued by the city authorizing the holder to conduct specified business activity within the city.

- C -

CANOPY

A permanent roofed structure that may be freestanding or partially attached to a building for the purpose of providing shelter to patrons on foot and/or in motor vehicles. In the context of outdoor lighting, a canopy most commonly means a structure built above gas station pump islands to protect customers from the elements and to mount lighting fixtures to illuminate the pump area.

CARGO CONTAINER STORAGE

An industrial use where standardized reusable vessels are stored that are specifically designed for the packing, shipping, movement or transportation of freight, articles, goods or commodities and that is designed for mounting on or movement by a rail car or truck trailer.

CAR WASH

A property used for the washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

CARPORT

A stationary structure consisting of a roof, its supports, not more than one wall or storage cabinets substituting for a wall, used to shelter motor vehicles, recreational vehicles, or boats.

CATERING SERVICE

An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption.

CERTIFICATE OF OCCUPANCY

A certificate of occupancy or a certificate of inspection issued by the City of Blue Island at the completion of a building permit or change of occupancy.

CHARITABLE ORGANIZATION

Any entity which: (1) has been certified as a not-for-profit organization under Section 501(c)(3) of the Internal Revenue code, and (2) has religious, charitable, or eleemosynary functions or is a religious or charitable organization. As used in this definition, a charitable organization is an organization which exclusively, and in a manner consistent with existing laws and for the benefit

§ 165.003 DEFINITIONS.

of an indefinite number of persons, freely and voluntarily ministers to the physical, mental, or spiritual needs of persons, and which thereby lessens the burdens of government.

CITY

The City of Blue Island, Illinois.

CITY COUNCIL

The City Council of Blue Island, Illinois.

CLEAR VISION TRIANGLE

The area created by drawing an imaginary line between points 30 feet back from where the curb lines of the intersection.

CLUB OR LODGE

A private, not-for-profit association, corporation, or other entity consisting of persons who are bona fide paying members and which owns, leases or uses a building or portion thereof, the use of such premises being restricted primarily to members and their guests.

COFFEE SHOP

An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold. A café can be considered a coffee house.

COMMUNITY GARDEN

A private or public facility for the cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.

COMMUNITY HOME

A single dwelling unit that complies with the regulations of the zoning district in which it is located, and which is occupied on a permanent basis by a group of not more than eight (8) unrelated person with service-dependent or developmentally disabled people living in a family-like environment who are undergoing treatment or rehabilitation and constitute a single housekeeping unit in which residents share responsibilities, meals and recreation; and also meeting the requirements set forth in § 165.025(E).

COMPREHENSIVE PLAN

A compilation of policy statements, goals and objectives, standards, maps, and statistical data for the physical, social, and economic development, both public and private, of the community.

CONDOMINIUM

Ownership of a single unit in a multi-unit structure that includes common areas and facilities.

CONSERVATION EASEMENT

An easement that protects identified conservation values of the land, such as wetlands, woodlands, significant trees or groves, floodplains, wildlife habitat, and similar resources.

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CONSIGNMENT STORE

A retail establishment engaged in selling used merchandise, such as clothing, furniture, books, shoes, or household appliances, on consignment, or a retail establishment engaged in selling donated used merchandise that is operated by a person or organization. Merchandise is brought to the establishment and processed by marking, cleaning, sorting, and storing as a major part of the principal use. Such stores do not include those selling vehicles, auto parts, scrap, or waste.

CONTAINER STORAGE, CARGO

Any building, structure, premises, enclosure or other place where 4 or more freight containers are stacked, housed, stored, kept for hire, sheltered or parked for any purpose other than repair or repainting, or where rent or compensation is paid to any owner, manager or lessee to stack, house, store keep, shelter or park freight containers on any property.

CONTRACTOR, OFFICE

A room or group of rooms used for conducting business affairs that does not use any exterior storage area.

CONTRACTOR, YARD

An open piece of land and/or building used primarily for the storage of equipment, vehicles, machinery (new or used), building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades or building craft.

CONVENIENCE STORE

An establishment offering for sale a limited line of groceries and household items intended for the convenience of the neighborhood. A food market can be considered a convenience store.

CORNER LOT

A lot that has frontage on more than one intersecting street.

CURB CUT

A driveway opening delineated by a concrete apron along a street.

- D -

DAYCARE CENTER, ADULT

An individual, agency, or organization which regularly provides adult or senior companion services and care on a regular basis for less than twenty-four (24) hours per day for one (1) or more seniors. Services may include, but are not limited to providing companionship in social interactions, peer counseling, fostering client contact with family and friends, assisting clients in applying for public services, addressing unmet needs with community leaders, healthcare professionals and other care providers, health monitoring, medication supervision, personal care and recreational/educational/therapeutic activities. An adult day care center shall comply with all applicable state and federal laws, and be registered, if required, with the Illinois Department of Aging or other applicable State agency.

§ 165.003 DEFINITIONS.

DAYCARE CENTER, CHILDREN

A facility operated for the purpose of providing care, protection and guidance to ten or more individuals during only part of a 24-hour day. This term includes nursery schools, preschools, day care centers for individuals, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full 24- hour period.

DAYCARE, HOME

A dwelling which receives more than four (4) but no more than eight (8) children for less than twenty-four (24) hours per day. The maximum of eight (8) children received shall be reduced in number by the family's natural or adopted children and all other persons under the age of fourteen (14) residing in the home. This does not include an operation which receives only children from a single family. The use must be licensed by or registered with the Illinois Department of Children and Family Services in accordance with the Child Care Act of 1969. (Illinois Standard)

DEDICATION

A transfer of private property to public ownership upon a written acceptance.

DEED RESTRICTION

A restriction on the use of a zoning lot or parcel of land that is set forth in the deed, and recorded with the county register of deeds. It is binding on subsequent owners, and it is also known as a restrictive covenant.

DELICATESSEN

An establishment where food is sold for the consumption off-premises. This use excludes grocery stores or supermarkets.

DEMOLITION WASTE

Materials found in demolished buildings, roads, and other structures including but not limited to concrete, drywall, asphalt, wood, masonry, composition roofing, roofing, siding, structural metal, wire, and insulation.

DETENTION AREA

An area that is designed to capture specific quantities of stormwater and to gradually release the stormwater at a sufficiently slow rate to avert flooding.

DEVELOPMENT

All improvements on a site, including buildings, other structures, parking and loading areas, landscaping, paved or graveled areas, and areas devoted to exterior display, storage, or activities. Development includes improved open areas such as plazas and walkways, but does not include natural geologic forms or undisturbed land.

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DEVELOPMENT EXACTION

A fee or a contribution of cash or property required of a developer as a condition of receiving development approval, most often associated with subdivision regulations. Similar to impact fees.

DISABLED PERSON

For the purposes of this zoning ordinance, a disabled person is a person who has a condition of physical or mental disability which substantially limits one or more major life activities as stated in Section 504 of the Federal Rehabilitation Act of 1973 and state law.

DISCONTINUED USE

A use that physically left the land it was on, a permitted use that ceased, or a use terminated at the end of a lease or contract.

DISPLAY SURFACE

The area made available by the sign structure or building surface for the purpose of displaying the advertising message. This includes a single continuous perimeter enclosing the extreme limits of wording, representation, emblem or any figure of similar character together with any background materials, color or area defined by a border or frame, any of which forms an integral part of the display or serves to differentiate such display from the structure to which it is affixed.

DOGGY DAYCARE CENTER

A facility providing such services as canine day care for all or part of a day, obedience classes, training, grooming, or behavioral counseling, provided that overnight boarding is not permitted.

DONATION AND COLLECTION DROP BOX

A receptacle provided for general public to drop-off recyclable paper, cans, glass and plastics as well as charitable donations such as clothing, shoes, books, and toys.

DRAINAGE WAY

An open linear depression, whether constructed or natural, that functions for the collection and drainage of surface water. It may be permanently or temporarily inundated.

DRIVE-THROUGH ESTABLISHMENT

A business establishment so developed that its retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or structure.

DWELLING, ATTACHED

A dwelling that is joined to another dwelling at one or more sides by a party wall or walls.

DWELLING, DETACHED

A dwelling that is entirely surrounded by open space on the same building lot.

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DWELLING, UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

- E -

EASEMENT

A grant of rights by a property owner that allows others to use the owner's land for a specific purpose, such as access, or to locate utilities. Recorded and on record in the Office of the Recorder of Deeds of Cook County, Illinois.

ENTERTAINMENT, INDOOR COMMERCIAL

A predominant spectator use conducted within an enclosed building. Typically, such uses include motion picture theaters, live performances, and concert or music halls.

ENTERTAINMENT, OUTDOOR COMMERCIAL

A predominant spectator use conducted in open, partially enclosed, or screened facilities. Typically, such uses include sports arenas, motor racing facilities, and outdoor amusement parks.

EQUIPMENT, HEAVY

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

EQUIPMENT, RENTAL

The temporary leasing of tools, materials, or construction equipment, excluding equipment used for excavation, grading, or similar tasks or processes.

EQUIPMENT RENTAL AND SALES ESTABLISHMENT

An establishment engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment, and the rental of mobile homes. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.

EXTERIOR DISPLAY

Exterior display includes the outdoor display of products, vehicles, equipment, and machinery for sale or lease. Examples of uses that often have exterior display are car and boat sales and leasing, and plant nurseries.

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FAMILY

An individual, or two or more persons related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four persons not related by blood, marriage or adoption, living together as a single housekeeping unit.

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FARMER'S MARKET

An occasional or periodic market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages (but not to include second-hand goods) dispensed from booths located on-site.

FENCE

A structure, solid or otherwise, which is a barrier and used as a boundary or means of protection, confinement, or concealment.

FENCE, CHAIN-LINK

An open mesh fence made entirely of wire woven in squares of approximately 1.5 inches with vertical supports not less than 1.5 inches in diameter spaced not less than six feet, and not more than eight feet, apart.

FENCE, DECORATIVE

A continuous permanent or temporary structure designed primarily for aesthetic appeal, and not intended or designed as a method of prohibiting entry to a property.

FENCE, HEIGHT

The vertical distance from the lowest adjoining grade the top most portion of the fence.

FENCE, LINE

A fence of non-solid construction, no less or more than 6 feet in height, whose purpose it is to delineate property lines or boundaries.

FENCE, LIVING

A hedge of vegetation used as a screening device or a fence with vegetation growing to it or on it which at the time of maturity would prevent an "open" effect and would block the normal line of sight.

FENCE, PRIVACY

A solid fence erected or constructed to prevent views across the fence line.

FENCE, PROTECTIVE

A substantially built fence (including any gates in said fence) not less than five feet in height, above grade, which may be required as an enclosure for an "attractive" nuisance or other potential hazard to children (e.g., a swimming pool).

FENCE, SECTION

A portion or panel of fence construction, normally consisting of pickets, planks, or metal fabric attached to horizontal rails, and which is attached or constructed, in more or less regular sequential intervals, to supporting vertical posts; in determining what constitutes a fence section, the normal guideline shall be sequential sections of fence which are eight feet in length.

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FENCE, SOLID

A fence, including solid entrance and exit gates, that effectively conceals from viewers in or on adjoining properties, streets, alleys, or public ways, materials stored and operations conducted behind it.

FILL

Sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans. Neither commercial or residential vehicles can be parked on fill in Blue Island.

FIRE LANE

Unobstructed area or driveway meeting Uniform Fire Code requirements; typically, may not be used for parking or loading area.

FLEA MARKET

An occasional or periodic market held in an open area or structure where goods are offered for sale to the general public by individual sellers from an open, semi-open, or temporary-covered structure.

FLOOD-HAZARD AREA

Land that is in the 100-year floodplain as currently defined by the Federal Emergency Management Agency (FEMA).

FLOODWAY

The active flowing channel during a flood, as designated on flood maps for the city; the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FOOD PROCESSING ESTABLISHMENT

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

FOOT CANDLE (FC)

A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle. One-foot candle (1 fc) is equivalent to one lumen evenly distributed over one square foot of surface area at a distance of one foot. Foot candle measurements can be taken with a hand-held light meter.

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FREIGHT TERMINAL, TRUCK

A building or area in which freight is collected and/or stored for in intrastate or interstate shipment.

FRONT SETBACK

The setback required between a building and the front property line of the lot on which the building is located, extending along the full length of the front property line between the side property lines.

FRONTAGE

The dimension of a property line abutting a public or private street.

FUNERAL HOME

An establishment used for undertaking services such as preparing human dead for burial or cremation, display of the deceased and performing human funeral services.

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GARAGE

An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used for storing of the private passenger vehicles of the occupants and in which no business, service or industry connected directly or indirectly with automotive vehicles is conducted.

GAS STATION, FULL SERVICE (SERVICE BAY)

A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides, and minor automobile accessories. In addition, such a facility may provide minor vehicle servicing, minor repairs, and maintenance, but not reconditioning of motor vehicles, collision services such as body, frame, or fender straightening and repair, or overall painting of automobiles.

GAS STATION, LIMITED SERVICE

A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides, and minor automobile accessories.

GAS STATION MINIMART

A facility associated with the sale of gasoline products that also offers for sale prepackaged food items and tangible consumer goods, primarily for self-service by the consumer. Hot beverages, fountain-type beverages, and pastries may be included in the food items offered for sale, but food items that are prepared or individually proportioned on the premises shall be prohibited.

GROCERY STORE

A retail establishment primarily selling prepackaged and perishable food as well as other convenience and household goods.

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GUEST HOUSE (ACCESSORY)

An attached or detached building that provides living quarters for guests and (1) contains no kitchen or cooking facility; (2) is clearly subordinate and incidental to the principal residence on the same building site; and (3) is not rented or leased, whether compensation be direct or indirect.

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HARDWARE STORE

A retail store where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.

HAZARDOUS MATERIAL

Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes but is not limited to hazardous substances and hazardous wastes. Solid waste or a combination of solid wastes that, because of quantity, concentration, or physical, chemical, or infectious characteristics, may: (1) cause or significantly contribute to an increase in mortality or increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard when improperly treated, stored, transported, disposed of, or otherwise managed.

HEALTH CLUB

An establishment, which may include saunas and steam baths, offering or providing facilities for, and instruction in, general health, physical fitness and controlled exercises such as weight lifting, calisthenics and aerobic/slim nastic dancing.

HISTORIC LANDMARK

Historic Landmark designations may include buildings, a portion of a building, sites, trees, statues, signs, or other objects or spaces that the city or the Keeper of the National Register of Historic Places has designated or listed for their special historic, cultural, archaeological, or architectural merit.

HOME OCCUPATION

An occupation, profession, activity or use that is clearly a customary, secondary, and incidental use of a residential dwelling unit which does not alter the exterior of the property or affect the residential character of the neighborhood. Home office - Residences of clergymen, architects, landscape architects, professional engineers, registered land surveyors, lawyers, real estate agents, artists, teachers, authors, musicians, or persons in other recognized professions used to conduct their professions where the office use is incidental to the residential use of the premises.

HOSPITAL

An institution, place, building, buildings on a campus, or agency, public or private, whether organized for profit or not, devoted primarily to the maintenance and operation of facilities for the diagnosis and treatment or care of 2 or more unrelated persons admitted for overnight stay or longer in order to obtain medical, including obstetric, psychiatric and nursing, care of illness,

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disease, injury, infirmity, or deformity. (State of Illinois Definition) A hospital shall not include "Medical/Dental Clinics."

HOTEL

A building containing lodging rooms, a general kitchen and dining room, a common entrance lobby, halls and stairway, and where lodging rooms do not have a doorway opening directly to the outdoors, except for emergencies, and where more than 50% of the lodging rooms are for rent, with or without meals, to transient guests for a continuous period of more than eight (8) hours and less than thirty (30) days.

HOUSEHOLD

One or more persons related by blood, marriage, civil union, legal adoption or guardianship, plus not more than 5 additional persons, who live together in one dwelling unit; or one or more handicapped persons as defined in the Fair Housing Amendments Act of 1988, plus not more than 5 additional persons, who live together in one dwelling unit.

- I -

IMPACT FEE

A fee charged by local governments to developers as a total or partial reimbursement for the cost of providing additional facilities or services needed as a result of new development (e.g., wider roads, new sewers, etc.).

IMPERVIOUS COVERAGE

A proportion of a building lot occupied by surfaces that do not allow for stormwater filtration, such as a principal structure (a house), an ancillary structure (a detached garage), a shed, a chicken coop, a paved walkway, a paved driveway, a paved parking pad or lot, and a swimming pool (either above ground or in ground pool), expressed as a percentage of total lot area. Basically, an impermeable surface does not allow for the absorption of water into the ground.

IMPERVIOUS SURFACE

A surface consisting of asphalt, concrete, roofing material, brick, paving block, plastic, or other similar material which does not readily absorb water.

INCOMPATIBLE USE

A use or service which is incapable of direct association with certain other uses because it is contradictory, incongruous, or discordant.

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JEWELRY STORE

A store that sell new merchandise primarily and some used merchandise from estate sales or reconstitute precious metals they purchase into jewelry forms that are sold at retail on the premises.

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JUNK

Any scrap, waste, worn out, discarded material, or debris collected or stored for destruction, disposal, or some other use.

JUNKYARD

A tract of land, including any accessory structure thereon, that is used for buying, selling, storing, baling, packing, disassembling, or handling waste or scrap materials. Such scrap materials include vehicles, machinery, and equipment not in operable condition, and metals, glass, paper, plastics, rags, and rubber tires. A lot on which three or more inoperable vehicles are stored shall be deemed a junkyard. A junkyard includes an automobile wrecking yard. The city does not allow junkyards.

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KENNEL

Any location where 5 or more dogs or cats aged 6 months or older are boarded or bred. The sale of these animals may be a part of the kennel use. Establishments where animals are offered for sale as the primary use, such as pet stores, are not classified as kennels.

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LABORATORY, RESEARCH

A facility for scientific laboratory research in technology-intensive fields. Examples include biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfer, and radiation research facilities.

LAND SURVEY

A survey map of registered land designed to simplify a complicated metes and bounds description by designating the same as a tract or tracts of a registered land survey number.

LANDSCAPE PLAN

A plan associated with a subdivision, land development, or parking facility plan indicating the placement of landscape materials, including specifications, species, quantities, and method of installation.

LAND USE

A use of land that may result in an earth change, including but not limited to subdivision, residential, commercial, industrial, recreational, agricultural practices, or other development, private and public highway, road, and stream construction, and drainage construction.

LAND USE DISTRICT

As used in this zoning ordinance, a land use district is the same as a zoning district.

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LIGHT TRESPASS

Light that falls on neighboring properties or produces glare or distraction for observers away from the area for which the light is intended.

LIVE/WORK SPACE

Buildings or spaces within buildings that are used jointly for artisan, commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

LIVING AREA

The habitable floor area of a residential structure conforming to applicable building codes; typically, does not include garage area, and attic and basement areas with substandard ceiling height or substandard egress.

LOADING AREA

The area available for the maneuvering and standing of vehicles engaged in delivering and loading goods, freight, or other articles.

LODGE

A hall or meeting place of a local branch or the members composing such a branch of a fraternal order or society, such as the Masons, Knights of Columbus, Moose, American Legion and other similar organizations. It shall be permissible to serve food and meals on such premises; providing, adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed provided it is secondary and incidental to the promotion of some other common objective by the organization; and, further provided that, such sale of alcoholic beverages is in compliance with all applicable federal, state and county laws.

LOT

A lot is a legally defined piece of land other than a tract that is the result of a subdivision.

LOT COVERAGE

A portion of a lot that is occupied by buildings or structures, including accessory buildings or structures, expressed as a percentage of total lot area.

LOT LINE (PROPERTY LINE)

The property lines along the edge of a lot or site.

LOT OF RECORD

A plot of land that was not created through an approved subdivision or partition; that was created and recorded before the earliest date on which the City of Blue Island had a duly adopted zoning ordinance that governed the subdivision and partition of land within the city; and for which the deed, or other instrument dividing the land, is recorded at the Office of the Recorder of Deeds of Cook County, Illinois.

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LUMBER YARD

An area used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood.

LUMEN

The unit of measurement used to quantify the amount of light produced by a lamp or emitted from a fixture (as distinct from "watt" which is a measurement of the electrical power).

- M -

MACHINE SHOP

A shop where lathes, presses, grinders, shapers, and other wood- and metal-working machines are used such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and overhaul shops.

MANUFACTURED HOME

A mobile home constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976.

MANUFACTURING

The mechanical or chemical transformation of materials into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

MANUFACTURING, HEAVY

An establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line. This term includes but is not limited to: (a) processing and packaging of alcohol beverages; (b) chemical manufacturing; (c) stonework or concrete product manufacturing; (d) fabrication of metal products; (e) manufacturing of agricultural, construction, or mining machinery; (f) motor vehicle manufacturing; (g) lumber milling; (h) ship or boat construction (i) permanent concrete/batch plant.

MANUFACTURING, LIGHT

An establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes but is not limited to a business engaged in the processing, fabrication, assembly, treatment, or packaging of food, textile, leather, wood, paper, chemical, plastic, or metal products, but does not include basic industrial processing from raw materials.

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MARINA

Facility located on a body of water that provides for the storage (wet and dry), launching, and mooring of pleasure boats together with one or more accessory retail and service uses, such as marine equipment sales, showers, private clubs and restaurants.

MASSAGE ESTABLISHMENT

An establishment having a fixed place of business where any person, firm, association, or corporation engages in or carries on or permitted to be engaged in or carried on the activity of massage, defined as any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice by a certified massage therapist.

MEDICAL/DENTAL CLINICS

This use includes establishments offering the provision of care, such as examination and treatment services, by physicians, dentists, ophthalmologists, psychologists, and physical or occupational therapists, exclusively on an out-patient basis. Such services would include x-rays, on-site testing laboratories, rehabilitation therapy facilities, emergency treatment, diagnostic services, and related services to outpatients. "Medical/Dental Clinics" do not include "Hospitals."

MICROBREWERY/BREW PUB

An establishment which manufactures up to five thousand (5,000) barrels of fermented malt beverages per year on premises for either consumption on premises, or off premises in hand-capped or sealed containers in quantities up to one-half barrel or 15-1/2 gallons sold directly to the consumer. May include food sales.

MITIGATION

To avoid, rectify, repair, or compensate for negative impacts that result from other actions. For example, improvements to a street may be required to mitigate for transportation impacts resulting from development.

MIXED USE

A development site has a combination of one or more types of residential uses, commercial uses (e.g., office, retail, or services), civic, or industrial uses.

MORTUARY

An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbariums.

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MOTEL

A building containing lodging rooms having adjoining individual bathrooms and where the lodging rooms are not entered from a common entrance lobby and where more than 50% of the lodging rooms are for rent to transient guests for a period of less than thirty (30) days.

MOTOR HOME

Motor home includes motorized vehicles designed for human occupancy on an intermittent basis. A camper is considered a motor home when it is on the back of a pickup or truck. Motor homes are regulated as trucks unless the regulations specifically indicate otherwise.

MOTOR VEHICLES

Vehicles that have their own motive power and that are used for the transportation of people or goods on streets. Motor vehicle includes motorcycles, passenger vehicles, trucks, and recreational vehicles, except all-terrain vehicles, off-road vehicles, snow mobiles, and similar vehicles are not allowed on streets. Every vehicle which is propelled otherwise than by muscle power, including, but not limited to, motorcycles, automobiles, trucks, truck-trailers, trailers, semi-trailers, buses and mobile homes.

MOTOR VEHICLE, ABANDONED

A vehicle shall be presumed abandoned under any of the following circumstances: (1) The vehicle is physically inoperable and/or is missing parts so that it is not maintained for driving, and (2) the vehicle does not bear any or all of the following: (a) A valid registration plate, or (b) A current certificate of inspection.

MOTOR VEHICLE, INOPERABLE

A motorized vehicle incapable of immediately being driven and not properly licensed or inspected for safety in accordance with state law.

MOTOR VEHICLE, SALES AND RENTAL

Retail establishments that sell or lease new or used automobiles, trucks, vans, recreational vehicles, trailers, boats or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease on-site. Support uses may also exist upon the same site, such as maintenance, repair, and service areas and indoor parts storage areas.

MOTOR VEHICLE, SERVICE AND REPAIR

Includes, but shall not be limited to, establishments involved in engine rebuilding or major reconditioning of worn or damaged motor vehicles, towing and collision service, including body, frame or fender straightening or repair, and painting of motor vehicles. This use also includes establishments where gasoline and/or fuel oil are sold and where oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail and/or where the following services may be rendered in fully enclosed bays: sale and servicing of spark plugs, batteries, and distributors and distributor parts, tire servicing and repair, but not recapping, replacement or adjustments of mufflers, tail pipes, water hose, fan belts, brake fluid, grease retainers and wheel

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bearings, radiator cleaning and flushing; provision of water, antifreeze and the like, washing, polishing, detailing, and sale of washing and polishing materials, greasing and lubrication.

MOVIE THEATER

A specialized theater for showing movies or motion pictures. The primary structural difference between a theater and a movie theater is the projection screen. However, many movie theaters can easily be adapted for stage performances and many stages have folding screens for movie projections. Although screen shapes are mostly rectangular, they come in a variety of shapes. Also, some special-purpose multimedia movie theaters use multiple screens, one on each wall face, or the entire ceiling surface, which are sometimes curved or geodesic in shape.

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NONCONFORMANCE

A condition that occurs when, on the effective date of adoption of this code or a previous ordinance or on the effective date of an ordinance text amendment or rezoning, an existing lot, structure, building, sign, development, or use of an existing lot or structure does not conform to one or more of the regulations currently applicable to the district in which the lot, structure, building, sign, development, or use is located.

NONCONFORMING USE

A use that was allowed by right when established or a use that obtained a required land use approval when established, but that subsequently, due to a change in the zone or zoning regulations, the use or the amount of floor area of the use is now prohibited in the zone.

NONPROFIT ORGANIZATION

A nonprofit organization shall include but not be limited to a not-for-profit organization, corporation, community chest, fund, or foundation organized and operated exclusively for religious, cultural, charitable, scientific, recreational, literary, agricultural, or educational purposes, or to foster amateur competition in a sport formally recognized by the National Collegiate Athletic Association, and an organization exempt from taxation under Section 501 (c) (3) of the Internal Revenue code of 1986 organized or incorporated in this state or another state or having a principal place of business in this state or in another state.

NURSING HOME

A home licensed by the of Illinois for the aged or chronically or incurably ill persons in which five or more such persons not of the immediate family are provided with food and shelter or care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

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OFFICE

Any room, studio, clinic, suite or building wherein the primary use is the conduct of a business such as accounting, correspondence, research, editing, administration or analysis; or the conduct

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of a business by salesmen, sales representatives or manufacturer's representatives; or the conduct of a business by professionals such as engineers, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, certified massage therapists, dentists or physicians, urban planners and landscape architects. Office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale and/or delivery of any materials, goods or products which are physically located on the premises. An office shall not be deemed to include a veterinary clinic.

OFF-STREET PARKING

All off-street areas designed, used, required or intended to be used for the parking of motor vehicles.

ON-STREET PARKING

Parking in the street right-of-way, typically in parking lanes or bays. Parking may be "parallel" or "angled" in relation to the edge of the right-of-way or curb.

OPEN SPACE

A portion of a building lot that is devoted to landscaping, lawn, and other similar permeable uses such as a rain garden or a natural retention swale. An open space shall not include a street, a driveway, a parking pad or lot, a sidewalk, a walkway, a plaza, a terrace, a patio, a swimming pool (either above ground or in ground pool), or other similar impervious or semi-impervious building surfaces.

OUTDOOR SALES AREA

An area of designated size used for the display of merchandise or tangible property normally vended within the contiguous business or organization. Multiple items may be displayed on a rack but shall not be stacked upon each other.

OUTDOOR STORAGE

Outdoor storage is characterized by the keeping of any item outside of an enclosed building or structure and that is not accessible to the general public. This includes but is not limited to garden supplies, building supplies, plants, materials stored in crates, boxes, or shipping containers; lumber yards; pipe; and other similar uses.

OLDE WESTERN AVENUE HISTORIC PRESERVATION DISTRICT

The area surrounding Olde Western Avenue that has been designated as a Historic Preservation District.

OWNER (PROPERTY OWNER)

The owner of the title to real property or the contract purchaser of real property of record, as shown on the latest assessment records in the Office of the County Assessor. Owner also includes a deed holder or contract purchaser whose name does not appear in the latest assessment records, but who presents to the city a copy of a deed or contract of sale showing date, book, and page of recording.

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OWNERSHIP

An ownership is one or more contiguous lots that are owned by the same person, partnership, association, or corporation. Ownership also includes lots that are in common ownership but are separated by a right-of-way.

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PARCEL

A legally defined area of land created through a partition.

PARKING

Adequate off-street parking facilities in accordance with the parking standards and specifications set forth in the City Code of Ordinances shall be provided to serve the accessory use. Such parking shall be considered part of the accessory use and shall be in addition to off-street parking spaces or loading spaces required other permitted uses on the site.

PARKING AREA

A parking area is all the area devoted to the standing, maneuvering, and circulation of motor vehicles. Parking areas do not include driveways or areas devoted exclusively to non-passenger loading.

PARKING GARAGE

A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages, deck parking, and underground or under-building parking areas.

PARKING LOT, OFF-STREET

Public or private open areas other than a street or public right-of-way, used for the temporary storage (parking) of operable passenger automobiles and commercial vehicles, and available either for compensation, for free, or as an accommodation for clients, employees, visitors, guests, residents or customers.

PARKING SPACE

A space designed to provide standing area for a motor vehicle.

PAVED AREA

A hard-surfaced area or an area covered with a perforated hard surface (such as porous concrete or pavers) that is able to withstand vehicular traffic or other heavy-impact uses. Graveled areas are not paved areas.

PAWN SHOP

An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

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PERSONAL SERVICES

Establishments for the provision of personal services directly to the consumer at the site of the business or which receives from/returns to the customer goods that have been treated or processed at another location. This use shall include, but shall not be limited to, barber shops, beauty parlors, domestic pet grooming, interior design studios, laundry and dry cleaning establishments (plant off-premises), commercial package or mailing services (distribution off-site), photography studios and/or processing, self-service laundries, shoe repair shops, tanning or toning salons, tailoring shops, and travel agencies. This use does not include restaurants or retail establishments.

PET SHOP

A retail shop primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and farm animals such as horses, goats, sheep, and poultry.

PHOTOMETRIC PLAN

A technical test report that indicates light distribution and performance of a light fixture. A photometric plan may include candlepower distribution data, cutoff classification, foot candle chart, etc., some of which are generally available directly from the manufacturer, and which may have been produced by an independent laboratory.

PLACES OF WORSHIP

A church, synagogue, temple, mosque, or other such place of religious worship, including any accessory use of the structure, such as a child care center or dwelling.

PLANNED DEVELOPMENT

A parcel of land or contiguous parcels of land controlled by a single landowner or by a group of landowners in common agreement as to control designed to be maintained and operated as a single entity, the environment of which is compatible with adjacent parcels and the intent of the zoning district or districts in which it is located, and the development of which is controlled by a planned development plan, approved by the City Council, and which has certain facilities in common, such as yards and open spaces, recreation areas, garages and parking areas.

PLANT NURSERY

Full-service retail sales establishment that sells plants and related goods that were purchased wholesale from off site. Related goods can include but are not limited to packaged fertilizer, seeds, mulch, topsoil, planters, and gardening tools. Such goods must be stored inside of a solid or screened structure.

PLAT

Diagrams, drawings and other writing containing all the descriptions, locations, dedications, provisions, and information concerning a land division. This term includes the State law definitions of "partition plat" and "subdivision plat."

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PORTE-COCHERE

A porch or cover, under which a vehicle may be driven temporarily to protect the occupants when alighting. A porte-cochere shall not be construed to be a "carport."

PRESCHOOL (NURSERY SCHOOL)

Childcare, with or without educational services, for children no older than five (5) years of age.

PRIMARY STRUCTURE

A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in a primary structure.

PRIMARY USE

An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use, if a planned development is developed and executed.

PROPERTY LINE ADJUSTMENT

The relocation of a single common property line between two abutting properties.

PUBLIC ACCESS EASEMENT

An easement granted to the public for all the purposes for which a public sidewalk may be used, including but not limited to, pedestrian and bicycle travel.

PUBLIC AREA

The right-of-way of any area owned by the State of Illinois, Cook County, or the city, which is used for a highway, street, or road purposes, the right-of-way of any area dedicated for highway, street or road purposes, or any automobile parking area owned by or subject to a lease agreement with the city.

-R-

RAILROAD FREIGHT TERMINAL

A heavy rail facility for freight pick-up or distribution; may include intermodal distribution facilities for truck or shipping transport.

RAILROAD RIGHT-OF-WAY (ROW)

A strip of land with tracks and auxiliary facilities for track operations, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

RAILROAD USE

An occupation or use of land, buildings, and structures for purposes directly connected with rail transportation of articles, goods, and passengers, including such facilities as tracks, sidings, signal devices and structures, shops and yards for maintenance and storage of rail machinery, loading platforms, and passenger and freight terminals, but excluding freight terminals and yards, and

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similar facilities, which are maintained and operated by the owning railroad or by a lessee for the purposes auxiliary to rail transportation, or by a lessee for the purposes auxiliary to rail transportation; provided, however, that the operation of such facilities as a hobby or as part of an amusement business shall not be considered a railroad use.

RAIL YARD

An area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry concerns. Necessary functions of a railyard include but are not limited to the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of cars, trains, engines, locomotives, and rolling stock.

RAIN GARDEN

A shallow depression typically planted with native perennial plants and strategically located to collect, infiltrate, and filter a small quantity of runoff water.

REAR LOT LINE

A lot line that is opposite a front lot line.

REAR SETBACK

The setback required between a building and the rear property line of the lot on which the building is located, extending along the full length of the rear property line between the side property lines.

RECREATION, COMMERCIAL INDOOR

A commercial recreational land use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, club or lounge, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, and tennis court.

RECREATION, COMMERCIAL OUTDOOR

A commercial recreational land use conducted outside of a building, characterized by potentially moderate impacts on traffic, the natural environment, and the surrounding neighborhood, including athletic fields; miniature golf; skateboard park; swimming, bathing, wading and other therapeutic facilities; tennis, handball, basketball courts; batting cages, and a trampoline facility.

RECREATIONAL VEHICLE

A vehicle with or without motive power that is designed for sport or recreational use or that is designed for human occupancy on an intermittent basis. This includes vacation trailers, off-road vehicles, and fifth-wheel trailers.

RECYCLE MATERIAL

Solid waste that can be processed and returned to the economic mainstream in the form of raw materials or products. "Recyclable material" includes, but is not limited to: Newspaper;

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Corrugated cardboard; Aluminum; Yard debris; Office paper; Glass; Tin and steel cans; Metal; Motor oil; Plastic; Antifreeze; wood; and food waste.

RECYCLING CENTER

A building, or enclosed area, used for the collection and processing of recyclable materials. Processing means the preparation of material for shipment, or an end user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Processing facilities include storage and loading areas located entirely on the processing center site.

REPAIR SERVICE

An establishment primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance repair shops, shoe repair, watch or jewelry repair shops, or repair of musical instruments.

RESEARCH AND DEVELOPMENT FACILITY

A use engaged in research and development, testing, assembly, repair, and manufacturing in the following industries: biotechnology, pharmaceuticals, medical instrumentation and supplies, communications and information technology, electronics and instrumentation, and computer hardware and software. Office, warehousing, wholesaling, and distribution of the finished products produced at the site are allowed as part of this use.

RESIDENCE

A place where a person resides; particularly a house.

RESIDENTIAL FACILITY (GROUP CARE)

A residence for 6 to 15 physically or mentally disabled persons, and for staff persons. The facility may provide residential care alone, or in conjunction with training or treatment. This definition includes the State definition of Residential Facility.

RESIDENTIAL HOME (GROUP HOME)

A residence for five or fewer persons with a physical or mental disability, and for staff persons. The residence may provide residential care alone, or in conjunction with training or treatment. This definition includes the State definition of Residential Home.

RESIDENTIAL TRAILER

A mobile home that was not constructed in accordance with federal manufactured housing construction and safety standards (HUD code), in effect after June 15, 1976.

RESTAURANT

A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building, and where food sales constitute more than 80 percent of the gross sales receipts for food and beverages.

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RESTAURANT, CARRY-OUT

An establishment where food is usually ordered by telephone and prepared on the premises for consumption off the premises, with no seating or other area provided on the premises for consumption. This establishment may deliver food to the customer, or the customer may pick up the food personally.

RESTAURANT, DRIVE-IN

An establishment deriving more than 50 percent of gross revenue from the sale of food and drink not including alcoholic beverages, and which functions as a retail outlet where food or beverages are sold and delivered to patrons in parked motor vehicles.

RESTAURANT, FAST FOOD

A restaurant whose design or principal method of operation includes four or more of the following characteristics: (1) 45 percent or more of the floor area is devoted to food preparation, employee work space, and customer service area; (2) a permanent menu board is provided from which to select and order food; (3) if a chain or franchised restaurant, standardized floor plans are used over several locations; (4) customers pay for food before consuming it; (5) a self-service condiment bar is provided; (6) trash receptacles are provided for self-service bussing; (7) furnishing plan indicates hard-finished, stationary seating arrangements; and (8) most main course food items are prepackaged rather than made to order.

RESTAURANT, FINE

An establishment where food and drink are prepared and served. Customer turnover rates are typically one hour or longer. Such establishments serve dinner but generally do not serve breakfast and may or may not serve lunch or brunch.

RESTAURANT, SIT DOWN

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

REVERSE CORNER LOT

A corner lot on which the rear lot line abuts the side of an adjacent lot.

REVIEW BODY

The person or group who is assigned to make decisions on administrative reviews, whether initially or on appeal. Review body includes the Building Official, the Building & Zoning Department, the Zoning Administrator, the Planning & Zoning Board of Appeals (PZBA), the Historic Preservation Commission (HPC), and the City Council.

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RIPARIAN AREAS

Lands adjacent to rivers, streams, lakes, ponds, and other water bodies. They are transitional between aquatic and upland zones, and as such, contain elements of both aquatic and terrestrial ecosystems.

-S-

SCHOOL, BOARDING

An elementary, junior high or high school that provides lodging for students on the same property.

SCHOOL, TRADE OR BUSINESS

Institutions engaged in part-time, specialized instructional areas, such as, but not limited to, driving, trade or vocational, and does not provide lodging for students or faculty.

SCHOOLS

Public, private, or parochial institutions primarily engaged in academic instruction for all or part of grades kindergarten through twelfth (K through 12), which does not provide lodging for students and may include accessory athletic fields, recreational facilities and child care centers for children over the age of three (3).

SENIOR HOUSING

A multi-family dwelling the occupancy of which is limited to persons who are fifty-five (55) years of age or older (or if two (2) persons occupy a unit, at least one (1) shall be fifty-five (55) years or older). This definition does not include nursing homes, congregate care facilities or assisted living facilities.

SETBACK

The minimum distance required between a specified object, such as a building, and another point, measured from lot lines to a specified object. Typically, a setback refers to the minimum distance (yard dimension) from a building to a specified property line.

SETBACK AREA, FRONT

The minimum horizontal distance between the front lot line and the fascia board or parapet of the front wall of a building, excluding open steps and stoops.

SETBACK AREA, INTERIOR

The minimum horizontal distance between the interior side lot line and the fascia board or parapet of the side wall of a building, excluding open steps and stoops.

SETBACK AREA, REAR

The minimum horizontal distance between the rear lot line and the fascia board or parapet of the rear wall of a building, excluding open steps and stoops.

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SHARED DRIVEWAY

When land uses on two or more lots or parcels share one driveway. An easement or tract (owned in common) must be created and recorded for this purpose.

SHARED PARKING

Required parking facilities for two or more uses, structures, or lots or parcels, which are satisfied jointly with the same facilities.

SHOPPING CENTER

A group of stores planned and designed for the site on which it is built, functioning as a unit, with off-street parking, landscaped areas, and pedestrian malls or plazas provided on the property as an integral part of the unit.

SHORT TERM RENTAL UNIT

All or part of a residential building or dwelling unit being leased, rented, offered for rent, hired out, licensed, or otherwise let as an accessory use or occupancy to a person or persons other than the owner of the subject property or family member of the owner thereof for a period or term that is less than thirty (30) consecutive days. The term shall also include a dwelling unit or accessory building, or part thereof, used for overnight accommodation that is available for rent by transient guests for a period or term that is less than thirty (30) consecutive days.

SIDE LOT LINE

A lot line that connects front and rear lot lines.

SIGHT DISTANCE

The unobstructed viewing distance measured from one object or location to another object or location, usually required the purpose of traffic safety.

SIGN

An object, including a structure, movable object, with illuminated or non-illuminated writing (including one or more letters, words or numerals), pictorial representation (including illustration, color, or decoration), emblem (including a device, symbol, or trademark); flag (including banner, streamer, or pennant); or any other figure or similar, which: is attached to, directly or indirectly, a structure or any part thereof, painted on, or in any other manner represented on a building or other outdoor structure; is used to announce, direct attention to, or advertise a product, service place, activity, person, institution, business or solicitation; is visible from outside a building; is in view of the general public, a public right-of-way or private property under different ownership than the property on which the sign is located; are portable signs such as those on wheeled devices or sandwich boards.

The following are not considered signs: a) Notices legally placed on public property and removed on a daily basis, or b) Letters individually painted on or attached to a face of a building that

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merely identify the owner, occupant, or name of the establishment and address for postal purposes.

SIGN, ADDRESS IDENTIFICATION

A sign containing the address and name of the occupant or business establishment.

SIGN, ADVERTISING DEVICE

Any advertising sign, billboard, or poster panel which directs attention to a business, commodity, service, or entertainment not exclusively related to the premises where such sign is located or to which it is affixed; but does not include those advertising signs, billboards, or poster panels which direct attention to the business on the premises or to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

SIGN AREA

The area of the largest single face of the sign within a perimeter which forms the outside shape including any frame that forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. See Section 1.01.9.A for measurement of sign area.

SIGN, ATTENTION GETTING DEVICE

A device or person wearing or carrying a sign, costume, or similar device for the purpose of or having the effect of attracting attention, promotion or advertising and not otherwise prohibited by this ordinance.

SIGN, ANIMATED

The movement or the optical illusion of movement of any part of the sign structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a sign.

SIGN, BALLOON

Any sign that is any lighter-than-air or gas-filled balloon attached by means of a rope or tether to a definite or fixed location. A display designed to inflate or move by use of a fan or blower is also considered a balloon sign. Balloons used as temporary attention-getting devices in conjunction with another sign which are no more than eighteen (18) inches in diameter, are not considered balloon signs.

SIGN BAND

The flat, horizontal area on the facade usually located immediately above the storefront and below the second story window sill where signs were historically attached. A sign band may also include the horizontal area above a tenants' entrance, architecturally designed to accommodate signage.

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SIGN, BANNER

A temporary sign constructed of cloth, paper, plastic or other material upon which copy is written and supported either between poles or fastened to buildings or other structures.

SIGN, BARBER POLE

A pole painted in spiral stripes used as a sign by a barber shop or hairdresser for advertisement.

SIGN, BILLBOARD

A sign which directs attention to a commercial enterprise, including but not limited to a business, product or commodity conducted, sold or offered elsewhere (off-site) than upon the same premises where such sign is displayed. This includes but is not necessarily limited to signs that are referred as "billboards," "off-premise signs." or "outdoor advertising signs."

SIGN, BLADE

A type of projecting sign mounted on a building facade or storefront pole or attached to a surface perpendicular to the sign's surface and to the normal flow of traffic.

SIGN, BULLETIN BOARD

A sign which accommodates manually changeable copy which displays information on activities and events on the premises.

SIGN, CHANGEABLE COPY

A sign containing letters, numerals, or other graphics, which are not permanently affixed to a structure and/or set for permanent display and are intended to be alterable through manual means. Changeable copy signs do not include time, date and/or temperature signs and electronic signs (LED).

SIGN, CLEAR SIGHT AREA

A triangle with one point at the intersection of the intersecting streets' centerlines, and the other 2 points located on each street's 100 feet away from the intersection of said centerlines.

SIGN, CONSTRUCTION

An on-site temporary sign identifying the owners, builder, developers, design consultants or contractors of a project under construction.

SIGN, DEVELOPMENT PROJECT

An on-site temporary sign identifying the location of a development project to be built or under construction.

SIGN, DIRECTIONAL

An on-site permanent or temporary sign designed to guide vehicular or pedestrian traffic that does not promote or advertise a business, property or product.

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SIGN, DIRECTORY

A sign listing the names and locations of occupants or activities conducted within a building or group of buildings that does not otherwise promote or advertise a business, property or product.

SIGN, ELECTRONIC

Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display screen composed of electrically illuminated segments. For the purposes of this Code, electronic signs within ground or wall signs are regulated as one (1) of the two (2) following types: A. Electronic Display Screen. A sign, or portion of a sign, that displays an electronic image or video, which may or may not include text. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards and holographic displays. B. Electronic Message Sign. Any sign, or portion of a sign, that uses changing lights to form a sign message or messages in text form wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. "Time and Temperature Devices" are not considered electronic message signs.

SIGN, ELECTRONIC MESSAGE BOARD (LED)

Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change are electronically programmed and can be modified by an electronic process. Automobile service station sign displaying current price of gasoline or other fuels may not be classified as electronic message board. Electronically message boards are considered changeable copy signs, not flashing signs.

SIGN, EXTERIOR ILLUMINATED

Any sign, any part of which, is illuminated from an exterior artificial light source mounted on the sign, another structure or the ground.

SIGN, FACE

The visible sign proper including all characters and symbols, excluding essential structural elements which are not an integral part of the display.

SIGN FLASHING

Any illuminated sign where each artificial light unit is not maintained in a stationary condition, or where all light units are not constant in intensity and color at all times when such sign is illuminated. For the purpose of this zoning ordinance, any revolving illuminated sign will be considered a flashing sign. However, the messages or images on an electronic sign may not imitate flashing signs

SIGN, FREE STANDING

Any sign not affixed to a building including, but not limited to a ground-mounted sign, detached sign, pole sign, pier signs, or monument sign.

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SIGN, GHOST

A painted wall sign that remains from an earlier time or advertises the use of a building that provides evidence of the history of the use of the building or activities of the community. A "Ghost Sign" is not considered an off-premise sign.

SIGN, GOVERNMENTAL

A sign installed by a governmental entity or by a private individual or business as require by Federal, State or local laws.

SIGN, GROUND

A sign supported by one or more uprights, pylons, poles, braces or foundation elements in or upon the ground and not attached to a building, other structure or foundation on the ground.

SIGN, HANDWRITTEN

Temporary window signs composed of pictures, symbols or lettering on paper or other temporary material. Professionally painted temporary signs are not considered to be handwritten.

SIGN, HANGING

Any sign hanging entirely beneath a canopy or marquee.

SIGN, IDENTIFICATION

Any sign which functions to identify an institution, occupant, apartment, residence, school or church, and not advertising any product or service.

SIGN, ILLUMINATED

A sign illuminated with artificial light by any means, whether internal or external.

SIGN, INFLATABLE

Any object enlarged or inflated, which floats, is tethered in the air, or is located on the ground or a building. The city does not allow for this type of signage.

SIGN, INTERNALLY ILLUMINATED SIGN

A sign illuminated by a light source, either incandescent, fluorescent, neon or other light that is enclosed by the sign panel or within the sign.

SIGN, ITEM OF INFORMATION

A word, phrase, logo, abbreviation, number or numbers, symbol, or geometric shape. The name of the business, even if multiple words, will be considered 1 item of information.

SIGN, MARQUEE

Any sign that is part of or attached to a marquee.

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SIGN, MEMORIAL

A noncommercial sign erected in remembrance of any historic occasion or occurrence of significance to the general public.

SIGN, MENU BOARD

A device which functions to list items for sale at a drive-thru restaurant.

SIGN, MONUMENT

Any sign, other than a pole sign, placed upon or supported by the ground independently of any other structure. Ground monument signs are typically mounted on a masonry base. As distinguished from a ground pole sign, the sign base of any monument sign must be a minimum of seventy-five percent (75%) or more of the width of the sign face that is to be situated upon the base. A sign base less than seventy-five percent (75%) of the width of the sign face is considered a ground pole sign.

SIGN, MOVING

Any sign or part thereof that moves or gives the visual impression of any motion, including visible mechanical movement of any kinds, such as wind-activated signs. Clocks are not considered signs with moving parts.

SIGN, NONCOMMERCIAL MESSAGE

A message that does not direct attention to a business or to a service or commodity for sale, and is typically of a political, religious, or ideological nature.

SIGN, NONCONFORMING

Any sign which is not allowed under the provision of this zoning ordinance, but which, when first constructed, may have been legally allowed by the city.

SIGN, OBSCENE

A sign which is found to meet the 3 established criteria of obscenity: 1) prurient in nature; 2) completely devoid of scientific, political, educational or social value; and 3) a violation of local community standards.

SIGN, OBSOLETE

A sign which no longer correctly directs or exhorts any person, advertises a business, lessor, owner, product, activity conducted or available on the premises where the sign is displayed.

SIGN, OFF-PREMISES

Any sign which directs attention to a business, service, product or entertainment not sold or offered or only incidentally sold or offered on the premises on which the sign is located.

SIGN, OFF-PREMISE (SEE BILLBOARD)

A sign which advertises any business, product, person, event or service not conducted, sold, manufactured or located on the premises where the sign is located.

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SIGN, ON-PREMISE

A sign which directs attention to a business or profession or to a commodity, service, or entertainment that is sold, offered, or manufactured upon the premises where such sign is located or to which it is affixed.

SIGN, PENNANT FLAGS

Any geometric shaped cloth, fabric or other lightweight material normally fastened to a stringer, which is secured or tethered so as to allow movement of the sign.

SIGN, PERMANENT

A sign attached to a structure or the ground which is made of materials intended for long-term use.

SIGN, PERMANENT

A sign designed to be used for 30 days or more. Permanent signs require a sign permit as set forth in this zoning ordinance.

SIGN, POLE

A sign erected and maintained on one (1) or more freestanding mast(s) or pole(s) and not attached to any building, but not including a ground monument sign.

SIGN, POLITICAL

A sign pertaining to an election to any public office, any ballot measure, or containing any social, ideological or religious information of a non-commercial nature. These signs primarily include, but are not limited to: signs that are placed upon the ground, such as "sandwich" signs; signs attached to wood or metal frames designed to be self-supporting and movable; paper, cardboard or canvas signs wrapped around or fastened to support poles; and signs having mobility by virtue of wheels, whether wheel are attached or not when said sign is on display.

SIGN, PORTABLE

A sign which is mounted or designed to be mounted on a self-propelled or towed vehicle, and shall include, but not be limited to, mobile advertising signs attached to a trailer or other vehicle. The city does not allow for this type of signage.

SIGN, PROJECTING

A sign which extends out from a building face or wall so that the sign face is perpendicular or at an angle to the building face or wall.

SIGN, PUBLIC

A sign of a non-commercial nature such as legal notices, identification, informational or direction signs erected or required by a governmental body or authorized for a public purpose by any law, ordinance or statute.

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SIGN, REAL ESTATE

An on-site sign advertising the availability for sale or rental of the property on which it is placed.

SIGN, ROOF

A sign erected, constructed, or maintained upon, or which projects above a roof or top of a wall, wall tower or turret of any building with the principal support on the roof structure. The city does not allow for this type of signage.

SIGN, SIDEWALK

A temporary advertising device also known as an A-frame or sandwich board sign, ordinarily in the shape of an "A," or some variation thereof, located on the ground, not permanently attached and easily movable, and usually two-sided.

SIGN STRUCTURE

Any structure or material which supports, has supported or is capable of supporting or helping maintain a sign in a stationary position, including decorative covers.

SIGN, TEMPORARY

A display, informational sign, banner, or other device constructed of cloth, canvas, fabric, wood, or other temporary material, with or without a structural frame, and intended for a limited period of display, including decorative displays for holidays or public demonstrations. A sign that is intended for use for only a limited period of time and not intended or designed for permanent display.

SIGN, TEMPORARY

Any sign or attention-attracting device for use for an event that is to be in existence for less than 30 days. Temporary signs require a temporary permit.

SIGN, TEMPORARY WINDOW

A temporary sign attached to or placed upon a window or door of a building intended for viewing from the exterior of such a building and not intended or designed for permanent display.

SIGN, TIME AND TEMPERATURE DEVICE

A mechanism integrated into a sign that displays the time and/or temperature, but does not display any commercial advertising or identification.

SIGN, VEHICLE

Any advertising or business sign attached to a motor vehicle that is parked and placed in position for the purpose of displaying the same to the public. The city does not allow for this type of signage.

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SIGN, WALL

A sign attached to, posted on, painted upon, placed against, or supported by the exterior surface of any building.

SIGN, WIND-BLOWN

A fluttering, spinning, windblown or inflatable device, including pennants, streamers and propeller discs. The city does not allow for this type of signage.

SIGN, WINDOW

A sign located on, in behind a window for the purposes of being seen from the outside of the premises. Any sign within 12 inches of a window or the glass surface of a door, and is visible from the public street.

SINGLE-FAMILY HOUSE

A detached dwelling unit located on its own lot.

SINGLE ROOM OCCUPANCY (SRO)

A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities. The structure may or may not have separate or shared cooking facilities for the residents. SRO includes structures commonly called residential hotels and rooming houses.

SITE FRONTAGE

The part of a site that abuts a street.

SMALL BOX STORE

A retail sales use with a floor area less than twelve-thousand (12,000) square feet that offers for sale a combination and variety of convenience shopping goods and consumer shopping goods. Small Box Store may not be located less than one mile from another Small Box Store. This definition shall not include Gas Station Minimart, Grocery Store, Consignment Store, Convenience Store, Hardware Store, or Pharmacy.

SOBER HOUSE

A dwelling unit occupied by more than four (4) persons in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988 that provides a non-institutional residential environment in which the residents willingly subject themselves to rules and conditions intended to encourage and sustain their recovery. The residents of a sober house are similar to a family unit, and share kitchen and bathroom facilities and other common areas of the unit. Sober houses are financially self-supporting. This definition does not include facilities that receive operating revenue from governmental sources. Sober houses do not provide on-site supportive services to residents, including the following: mental health services; clinical rehabilitation services; social services; medical, dental, nutritional and other health care services; financial management services; legal services; vocational services; and other similar supportive services.

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SOLID WASTE

All putrescible and non-putrescible refuse in solid or semisolid form, including, but not limited to, garbage, rubbish, junk vehicles, ashes or incinerator residue, street refuse, dead animals, demolition waste, construction waste, solid or semisolid commercial and industrial waste. The term does not include hazardous waste managed pursuant to NRS 459.400 to NRS 459.600, inclusive.

SPECIAL USE

A use that has unique characteristics inherent to its operation that may be allowed in a zoning district following administrative review and approval.

STORMWATER DETENTION OR RETENTION FACILITY

A facility designed to improve the quality and manage the quantity of stormwater runoff. Stormwater facilities include vegetated swales and sand filters, wet or dry ponds, marshes, infiltration facilities, and structural storm sewer devices. Stormwater facilities do not include conveyance systems that are meant only for conveying the stormwater from one place to another and do not affect the quality or quantity of the stormwater.

STORMWATER MANAGEMENT SYSTEM

A stormwater facility (e. g., conveyance, detention/retention, treatment system or outfall).

STREET

A right-of-way that is intended for motor vehicle, pedestrian or bicycle travel or for motor vehicle, bicycle or pedestrian access to abutting property. For the purposes of this zoning ordinance, street does not include alleys, rail rights-of-way that do not also allow for motor vehicle access, or freeways and their on-ramps.

STRUCTURE

Any object constructed in or on the ground. Structure includes buildings, decks, fences, towers, flag poles, signs, and other similar objects. Structure does not include paved areas or vegetative landscaping materials.

SUBDIVISION

The process of dividing land to create parcels or lots.

SWALE

A type of storm water facility. Usually a broad, shallow depression with plants that filter and process contaminants.

-T-

TATTOO PARLOR/BODY-PIERCING STUDIO

An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that

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result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

TAVERN/BAR (WINE BAR)

Business establishments engaged primarily in the retail sale or distribution of alcoholic beverages to public patrons for consumption on the establishment's premises, and that includes beer bars, parlors, lounges, cabarets and nightclubs. "Taverns/Bars" may also include accessory sale of prepared food.

THEATER

A building or structure used for the purpose of conducting live dramatic, comedic or musical performances, the showing of motion pictures or similar recorded media, or other live performing arts.

THRIFT STORE

An establishment primarily engaged in the sale of used clothing, household goods, furniture, or appliances. This classification does not include antique shops.

TOBACCO/VAPE STORE

A tobacco retailer whose business exclusively or primarily involves the sale of tobacco products or vape products and their related goods.

TOW SERVICE

The removing of a motor vehicle by towing, carrying, hauling, or pushing from public or private property when such vehicle has been ordered to be impounded to a public or private impound lot. This shall not include an automotive service use that has a tow truck and repairs vehicles on-site.

TOW YARD

An outdoor storage facility for the temporary storage of towed vehicles.

TOWNHOUSE

A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation.

TRANSITIONAL RESIDENCE

A temporary residential living arrangement for persons who are receiving therapy or counseling for purposes such as, but not limited to, the following: (1) to help recuperate from the effects of drugs or alcohol addiction; (2) to help re-enter society while housed under supervision and the constraints of alternatives to imprisonment including, but not limited to, pre-release, work-release and probationary programs; or (3) to help with family or school adjustment problems that require specialized attention and care in order to achieve personal independence; and also meeting the requirements set forth in § 165.025(E).

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TRANSIT-ORIENTED DEVELOPMENT (TOD)

A form of development that maximizes investment in transit infrastructure by concentrating the most intense types of development around transit stations and along transit lines; development in such areas is designed to make transit use as convenient as possible.

TRAVEL TRAILER

A structure or self-propelled vehicle equipped with wheels for street or highway use; intended for human occupancy; equipped with plumbing, sink or toilets; used for vacation and recreational purposes; and not used as a residence.

TRUCK TERMINAL

A building, structure or place where trucks or transports are rented, leased, kept for hire or stand or park for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers or where goods are stored temporarily for further shipment. A truck terminal property shall be constructed with concrete or asphalt surfaces, and shall also contain proper drainage, landscaping, lighting, circulation and fencing.

- U -

UNATTENDED DONATION COLLECTION BOXES (UDCBs)

Unattended donation collection boxes (UDCBs) or other similar structures are prohibited in all zoning districts unless the boxes are accessory to the principal use of the premises. To qualify as an allowed accessory use, the UDCB must be owned and maintained by the owner or lessor of the principal use.

USE

The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

USE, PERMITTED

A use permitted in a district without the need for special administrative review and approval, upon satisfaction of the standards and requirements of this ordinance.

USE, SPECIAL USE

A use that meets the intent and purpose of the zoning district, but requires the review and approval of the appropriate Planning and the Zoning Board of Appeals in order to ensure that any adverse impacts on adjacent uses, structures, or public services and facilities that may be generated by the use can be, and are, mitigated.

UTILITIES, MINOR

An infrastructure facility that is necessary to support development within the immediate vicinity and that involves only minor structures. This definition includes electrical distribution lines less than 35 kilovolts, water and sewer lines, storm drainage facilities, telephone and cable television lines, and other similar facilities.

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UTILITIES, MAJOR

An large-scale facility supporting infrastructure across a wide area, including electrical substations, water reservoirs, water wells, water and wastewater treatment plants, and similar public utilities facilities.

UTILITY TRAILER

A vehicle designed to be pulled by a motor vehicle which is used to carry property, trash, or special equipment and that is 16 feet or less in length. Boat trailers are included as utility trailers. Utility trailers that are longer than 16 feet are considered industrial vehicles and are regulated as heavy trucks.

- V -

VALET PARKING

Parking of vehicles by an attendant provided by the establishment for which the parking is provided.

VARIATION

Authorization granted by the City to allow development that deviates from the specific regulations of this Zoning Code.

VEHICLE AREA

All of the areas on a site where vehicles may circulate or park including parking areas, driveways, drive-through lanes, and loading areas. See also, Driveway and Parking Area.

VACATE STREET

To abandon a subdivision or street right-of-way. For example, vacation of a public right-of-way that is not needed or cannot be used for a street or other public purpose. Vacation of a plat typically returns the property to the adjoining owners and restores it to an undivided condition and ownership.

VARIANCE

An administrative or quasi-judicial decision to lessen or otherwise modify the requirements of this zoning ordinance.

-W-

WAREHOUSE/DISTRIBUTION

This use includes structures, or part thereof, or area used principally for the storage or distribution of goods and merchandise to retailers, non-residential users, or to other wholesalers. This use shall not include "Truck Terminals/Repair" or "Manufacturing," as defined herein.

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WAREHOUSING, WHOLESALING AND FREIGHT DISTRIBUTION

Storage, wholesale sales and distribution of materials and equipment. Typical uses include storage warehouses, moving and storage firms, trucking or cartage operations, truck staging or storage areas, wholesale sales of materials and equipment to parties other than the general public.

WHOLESALSALES SALES

The sale of goods, merchandise and commodities in gross, primarily for purposes of resale.

WHOLESALE TRADE ESTABLISHMENT

Any establishment for the sale of merchandise in gross for resale, and any establishment for the sale of merchandise principally to institutional, commercial, contractors and industrial users, but not including retail sales to the general public except as a subordinate ancillary activity and any display area accessible to the general public shall be limited to the lesser of either ten (10) percent of the gross floor area of the establishment or 1000 square feet. For the purpose of this Ordinance, a warehouse shall not be deemed a wholesale trade establishment.

WIRELESS TELECOMMUNICATION ANTENNA

A structure used to transmit and/or receive communication, data, or other similar signals in order to facilitate the use of wireless devices. "Wireless Telecommunications Antenna" does not include "Antenna" or "Satellite Dish."

WIRELESS TELECOMMUNICATION FACILITY

A structure used to protect the equipment that processes communication, data, or other similar signals in order to facilitate the use of wireless devices.

WIRELESS TELECOMMUNICATION TOWER

A structure designed and constructed to support one or more "Wireless Telecommunications Antennas" and all devices attached to it. "Wireless Telecommunication Towers" are typically freestanding and may be of either lattice or monopole construction.

WRECKING YARD

Any place where damaged, inoperable, or obsolete machinery such as cars, trucks and trailers, or parts thereof, are stored, bought, sold, accumulated, exchanged, disassembled, or handled.

- Y -

YARD

An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

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- Z -

ZONE

A specifically delineated area or district within which uniform development standards govern the use, placement, spacing, and size of land and buildings.

ZONING

A police power measure in a community that is divided into districts within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards.

ZONING ADMINISTRATOR

The person who is responsible for the interpretation of the city's land-use codes and regulations and the promotion of zoning information.

ZONING CERTIFICATE

A document signed by the zoning administrator, as required by this zoning code, which acknowledges that a use, structure, building, or lot either complies with or is legally nonconforming to the provisions of this zoning code or is an authorized variance or modification therefrom.

ZONING DISTRICT

A "zoning district" is an area or areas within the limits of the city for which the regulations and requirements governing use, lot, and bulk of buildings and premises are uniform.