

ARTICLE XXIV

DEFINITIONS

SECTION:

14.2401: Purpose

14.2401: PURPOSE:

In the construction of this chapter, the definitions contained in this article shall be observed and applied, except when the context clearly indicates otherwise. In further amplification and for clarity of interpretation of the context, the following definitions and rules of word use shall apply. Words contained in this chapter and not defined hereinafter, shall assume definitions as prescribed in Webster's Unabridged Dictionary (1979 edition).

ABUTTING: Having a common border width, or being separated from such a common border by a right-of-way, alley or easement.

ACCESSORY STRUCTURE: A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of a principal structure. Said structures may include, but are not limited to, garages and sheds, as further defined by this Code.

ACCESSORY USE: A use which is located on the same lot on which the principal building or use is situated and which is reasonably necessary, incidental and subordinate to the conduct of the principal use.

ALLEY: A public or private way permanently reserved as a secondary means of access to abutting properties.

AMATEUR RADIO: The use of designated radio frequencies for purposes of private, noncommercial communication. "Amateur" includes persons with a recreational interest in radio technique solely with personal aim and without direct pecuniary interest, and shall not include commercial broadcasting, public safety communication, or professional two-way radio services. Also known as "ham radio".

AMUSEMENT: Any use that is designed, intended, or used as a test of skill or entertainment and enjoyment without primitive weapons or other potentially dangerous objects. Examples include, but are not limited to, arcades, trampoline parks, bumper cars, and all games or operations similar thereto under whatever name they may be indicate. Such definition does not include bowling alley, a jukebox or other coin operated music machine, mechanical riding device or video gaming as defined in the Illinois Video Gaming Act, 230 Illinois Compiled Statutes 40/1 et seq.

ANTENNA: A system of wires, poles, rods, reflecting disk, or similar devices used for the transmission or reception of electromagnetic rays, external to or attached to the exterior of any structure.

ANTENNA, WIRELESS SERVICE: The surface from which wireless radio signals are sent and received by a personal wireless service facility. "Antenna" should not be used as a synonym for "cell site".

APPLICANT: Refer to section 15.202 of this Code.

APRON: Refer to section 16.202 of this Code.

ARBOR: A latticework bower or archway supported by three (3) or more nonlinear posts, typically intertwined with climbing vines and flowers.

AUTOMOBILE FUELING STATION: A business establishment which includes the retail dispensing or sale of vehicular fuel and incidental convenience goods, having pumps and storage tanks thereon but no repair services.

AUTOMOBILE GARAGE: A business establishment which shall include major repair of motor vehicles, including the rebuilding of engines, or major reconditioning or reconstruction of worn or damaged motor vehicles or parts thereof, body, frame or fender straightening, or reconstruction and painting of vehicles or parts thereof.

AUTOMOBILE MAINTENANCE AND SERVICE CENTER: A business establishment which shall include incidental or minor repair of motor vehicles, including the replacement of worn or damaged parts in minor motor or tune up services, but not including the sale of gasoline products or any operation included within the definition of "automobile garage".

AWNING: A rooflike structure made of cloth which projects from a building for the purpose of shielding a doorway or window from the elements.

BASEMENT: Refer to section 21.501 of this Code.

BEAUTY SHOP: A business establishment where cosmetology services are provided. This includes, but is not limited to, hair, nail, and skin care, and other spa services not including massage therapy.

BENCH MARK: Refer to section 16.202 of this Code.

BLOCK: A tract of land bounded by streets, or combination of streets and public parks, cemeteries, railroad rights-of-way, waterway shorelines, or boundary lines of municipalities.

BREW PUB: A restaurant which brews beer on its premises and is licensed as a brewpub by the State of Illinois.

BUILDING: Refer to section 21.501 of this Code.

BUILDING, EXISTING: Any structure erected prior to the adoption of the appropriate code, or one for which a legal building permit has been issued.

BUILDING LINE (Also Referred To As BUILDING SETBACK LINE): The line established by law, beyond which a building shall not be erected or extend, except as specifically provided by law.

BUILDING, PRINCIPAL: The primary structure or building located on the lot which houses the permitted use or conditional use within the zoning district.

CANNABIS BUSINESS ESTABLISHMENT: Refer to Section 11.4102.

CANNABIS CRAFT GROWER: Refer to Section 11.4102.

CANNABIS CULTIVATION CENTER: Refer to Section 11.4102.

CANNABIS DISPENSING ORGANIZATION: Refer to Section 11.4102.

CANNABIS INFUSER ORGANIZATION OR INFUSER: Refer to Section 11.4102.

CANNABIS LOUNGE OR SOCIAL SPACE: Refer to Section 11.4102.

CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: Refer to Section 11.4102.

CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: Refer to Section 11.4102.

CANOPY, NONRESIDENTIAL: A permanent hood, awning or rooflike construction, which may or may not include support columns, which projects from a building wall for the purpose of providing shelter or protection from the weather.

CANOPY, RESIDENTIAL: A rooflike structure, without walls, screens, or windows, that projects from the building wall, covering a stoop, and does not exceed the dimensions of the stoop.

CERTIFICATE OF COMPLETION: Refer to section 15.202 of this Code.

CERTIFICATE OF OCCUPANCY: Refer to section 15.202 of this Code.

COLLOCATION: The use of a single mount on the ground by more than one carrier (vertical collocation) and/or several mounts on an existing building by more than one carrier.

COMMERCIAL/BUSINESS SCHOOL: An establishment which offers specific courses of classroom instruction, for profit, to the general public, in business, trade, industry or other trained skills; but does not offer academic instruction equivalent to the standards prescribed by the School Code of Illinois.

COMMERCIAL TRAILER: Any trailer: a) carrying work equipment such as ladders, snowplows, hand or mechanical tools; b) carrying work machinery on or affixed to the outside of the trailer; c) containing a refrigeration unit or other motorized compressor; or d) being used for storage shall be considered commercial trailers. None of the following shall be considered a commercial trailer: a) a recreation trailer that is not included in the above categories; and b) Mount Prospect police or fire trailers.

COMMERCIAL VEHICLE: Any vehicle with a class designation other than passenger, or trailer carrying work equipment such as ladders, snowplows, hand or mechanical tools, or machinery on the outside of the vehicle or trailer; any vehicle or trailer containing a refrigeration unit or other motorized compressor, not including air conditioner units used for the comfort of the driver and passengers; or any vehicle or trailer containing a name, logo, or any other signage for any business enterprise visible from the outside of the vehicle; or any vehicle used for public transportation purposes capable of carrying more than seven (7) persons, excluding vehicles used as commuter vans as defined by the Illinois Motor Vehicle Code. Government police and fire vehicles falling within the size criteria set forth in this chapter, pickup trucks with Class B designation, passenger vans with Class B designation, and recreation vehicles not fitting within the above criteria shall not be considered commercial vehicles.

COMMON OPEN SPACE: A parcel or parcels of land intended to provide light and air, and designed and intended for the common use or enjoyment of the residents or occupants of the development.

COMMUNITY RESIDENCE: A single dwelling unit occupied on a relatively permanent basis in a family like environment by a group of unrelated persons with developmental disabilities, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty four (24) hour basis, or present whenever residents with developmental disabilities are present at the dwelling; and complies with the zoning regulations for the district in which the site is located.

COMPREHENSIVE PLAN: The plan for the long range growth and development of the Village including graphic and written proposals and supporting or implementing documents, as are adopted and amended from time to time.

CONDITIONAL USE: A use that, owing to some unique characteristics attendant to its operation or installation, is permitted in a district subject to approval of the Village Board, and subject to special requirements, different from those usual requirements for the zoning district in which the conditional use may be located.

CONTROL OR OWNERSHIP: Any person, agent, firm or corporation having a legal or equitable interest in the property or having the legal authority to act on behalf of all owners, which shall be evidenced by deed, contract or other written guarantee.

CRAFT BREWERY: An establishment which brew beer on its premises and is licensed as a craft brewery by the State of Illinois. In B-2, B-3, B-4, B-5 and B-5C Zoning Districts, space shall include a retail component, include areas for sales of packaged beer or brewed products, as well as seating area for consumption. In I-1 Zoning Districts, the retail portion of the space shall not exceed ten percent (10%) of the floor area.

CRAFT DISTILLERY: A place that manufactures and delivers beer or distilled spirits for on premises and off premises consumption, and is licensed by the State of Illinois. In B-2, B-3, B-4, B-5, and B-5C Zoning Districts, space shall include a retail component, including areas for sales of packaged beer or distilled spirits, as well as seating areas for consumption. In I-1 Zoning District, the retail portion of the space shall not exceed ten percent (10%) of the floor area.

CUL-DE-SAC: A local street, one end of which is closed and consists of a circular turnaround.

DAMAGE: Any direct loss of property by fire, windstorm, flooding or act of God.

DATA CENTER: A facility used for the storage and operation of computer systems and related equipment for the maintenance, storage, processing, and routing of data and related activities.

DAYCARE CENTER: A nonfamily home that regularly provides daycare for less than twenty four (24) hours per day for more than three (3) children. Daycare centers shall meet all applicable Village, County and State regulations.

DAYCARE HOME: A family home which receives more than three (3) and up to a maximum of twelve (12) children for less than twenty four (24) hours per day, provided the mix of the children's ages does not require an assistant pursuant to the Illinois Department of Children and Family Services' licensing standards for daycare

homes. The maximum of twelve (12) children includes the family's natural, foster or adopted children and all other persons under the age of twelve (12). Daycare homes shall meet all applicable Village, County and State regulations.

DENSITY: The number of dwelling units permitted per acre of land excluding land area occupied by public or private streets.

DETENTION: Refer to section 15.202 of this Code.

DEVELOPMENT: Refer to subsection 15.103B of this Code.

DEVELOPMENT SCHEDULE: Refer to section 15.202 of this Code.

DEVELOPMENTAL DISABILITY: A disability attributable to mental retardation, cerebral palsy, epilepsy, autism, or similar physical or mental conditions which are manifested in the early stages of life and expected to continue indefinitely.

DIRECTOR: The "Director of Community Development" as defined in section 15.202 of this Code.

DONATION BOX: An outdoor container or receptacle used for collecting donated household items such as clothing, shoes, and books.

DRIVE-IN RESTAURANT AND DRIVE-IN FOOD ESTABLISHMENT: A food service establishment with or without interior facilities for eating which caters to and permits the consumption of food either in customers' automobiles parked on the premises, or in any other designated area on the premises, outside the establishment where the food is prepared.

DWELLING: A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multiple-family dwellings; but not including Hotels, Extended Stay Hotels, or Motels.

Multiple-Family: A building, or portion thereof consisting of three (3) or more dwelling units.

Single-Family, Attached: A building, structure or portion thereof containing three (3) or more attached single-family dwellings where the units are primarily connected horizontally.

Single-Family, Detached: A building containing a single dwelling unit only, which is separated from all other dwellings by open space.

Two-Family: A building consisting of two (2) dwelling units which have been attached.

DWELLING UNIT: One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate bathroom and facilities for cooking and sleeping.

EASEMENT: Refer to section 15.202 of this code.

ELECTRIC VEHICLE: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

ELECTRIC VEHICLE CHARGING STATION: A public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT OR (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

EXTENDED STAY HOTEL: A building, with each guest room having a full kitchen, providing transient lodging accommodations, limited to no more than ninety (90) consecutive days, to the general public for compensation and which may include ancillary facilities and services such as restaurants, meeting rooms, personal services, and recreational facilities.

FAMILY: One or more persons related by blood, marriage or adoption or a group of not more than five (5) persons not so related, maintaining a common household in a dwelling unit.

FAMILY COMMUNITY RESIDENCE: A single dwelling unit occupied on a relatively permanent basis in a family like environment by a group of no more than eight (8) unrelated persons with developmental disabilities, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty four (24) hour basis or present whenever residents with developmental disabilities are present at the dwelling; and complies with the zoning regulations for the district in which the site is located.

FAMILY HOME: The location, or portion of the location, where the person to be licensed as the primary caregiver in the daycare home resides and is domiciled.

FENCE, AREA: A fence located immediately adjacent to a permitted patio, deck or similar accessory structure.

FENCE, OPEN: A fence, including gates, designed and constructed with at least fifty percent (50%) of its surface area as open space of uniform distribution, when viewed from a right angle.

FENCE, PERIMETER: A fence located on or within six inches (6") of a property line.

FENCE, SOLID: A fence, including gates, designed and constructed with greater than fifty percent (50%) of its surface area as opaque material of uniform distribution, when viewed from a right angle.

FENCE/WALL: A freestanding structure resting on or partially buried in the ground and rising above the ground level, forming a barrier which is not otherwise a part of any building or other structure and is used to delineate a boundary or as a means of confinement or privacy.

FLOOR AREA: The sum of the gross horizontal area of all floors of a building, including principal and solid roofed accessory structures as measured from the exterior footprint. Floor area shall exclude:

- A. Areas used for storage of building, mechanical and HVAC equipment;
- B. Basements in single-family dwellings with a ceiling height less than three feet (3') as measured from the finished grade;
- C. Attic spaces in single-family dwellings with a ceiling height less than seven feet (7');
- D. Unenclosed porches, stoops, and canopies, as defined in this chapter; and
- E. For the purposes of determining off street parking requirements for restaurant uses, floor area shall not include areas devoted primarily for storage, restrooms, and corridors used solely for accessing these areas.

FLOOR AREA RATIO (FAR): Determined by dividing the number of square feet of floor area in all buildings on a lot by the square feet of area of that lot.

FREE AND UNLIMITED PHYSICAL ACCESS: The existence of at least one unobstructed passageway from the second housekeeping unit to the entire remainder of the dwelling unit. To conform to this definition, the passageway may have a door, but the door shall not have any locking mechanism of any kind whether the lock is used or not. The passageway shall clearly permit all persons on the premises to have access to the entirety of the premises. A lock on a separate bedroom door within the second housekeeping unit shall be permitted pursuant to this definition.

FRONTAGE: The narrowest portion of a lot or parcel which abuts a public street.

FULL CUTOFF FIXTURE: A luminaire, or light fixture, that allows no emission of light above horizontal.

GALLERY, PRIMITIVE WEAPON: A place maintained for profit and to give patrons an opportunity to practice their skills at putting bows and arrows, hand axes, and other primitive weapons in the line with a target or object so as to hit same, whether for a score or a prize as in a contest.

GALLERY, SHOOTING: A place maintained for profit and to give patrons an opportunity to practice their skills at putting guns discharging projectiles of all kinds in line with a target or object so as to hit same, whether for a score or prize in a contest.

GARAGE: A structure designed to house motor vehicles and to store items and equipment necessary to maintain and keep up the primary structure and the property that it is located upon.

GAZEBO: A freestanding roofed structure that is at least twenty five percent (25%) open sided and is designed for recreational use.

GLARE: Light emitting from a luminaire that causes reduced vision or momentary blindness.

GRADE: Refer to section 16.202 of this code.

GREENHOUSE: A structure constructed primarily of glass or other translucent material which is devoted to the protection or cultivation of flowers or other plants.

GROUP COMMUNITY RESIDENCE: A single dwelling unit occupied on a relatively permanent basis in a family like environment by a group of nine (9) to fifteen (15) unrelated persons with developmental disabilities, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty four (24) hour basis or present whenever residents with developmental disabilities are present at the dwelling; and complies with the zoning regulations for the district in which the site is located.

GUARANTEE: A form of security, including cash escrow, letter of credit, or surety bond, acceptable by the Village to assure that required improvements are completed, operating properly and/or adequately maintained.

GUYED TOWER: A monopole or lattice tower that is tied to the ground or other surface by diagonal cables.

HARDSHIP: A practical difficulty in meeting the requirements of this chapter because of unusual surroundings or condition of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, underground conditions or other unusual circumstances.

HEIGHT, BUILDING: Refer to section 21.501 of this code.

HEIGHT, FENCE: The vertical distance as measured from grade level to the highest point of the fence, excluding the required drainage separation area as further defined in this chapter.

HOME OCCUPATION: An accessory use conducted completely within a dwelling unit and clearly incidental and secondary to the use of the dwelling for residential purposes. No home occupation or part of any home occupation shall be conducted in a garage. A home occupation may include a for profit home business or a home office for a resident who may work for another employer, or contract or consult with another company or individual. Any home occupation or home business is subject to the appropriate standards of this chapter.

HOTEL: A building providing transient lodging accommodations, limited to no more than thirty (30) consecutive days, to the general public for compensation and which may include ancillary facilities and services such as restaurants, meeting rooms, personal services, and recreational facilities.

IMPERVIOUS SURFACE: Refer to section 16.202 of this code.

IMPROVEMENT, PRIVATE: Refer to section 15.202 of this code.

IMPROVEMENT, PUBLIC: Refer to section 15.202 of this code.

IMPROVEMENTS: Refer to section 15.202 of this code.

KITCHEN UNIT: Refer to section 21.501 of this code.

LATTICE TOWER: A ground mounted structure that is self- supporting with multiple legs and cross bracing of structural steel.

LIGHT TRESPASS: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

LOT AREA: The horizontal area within the lot lines of a lot, measured in feet.

LOT, CORNER: A lot abutting upon two (2) or more streets at their intersection.

LOT DEPTH: The average horizontal distance, measured in feet, between the front and rear lot lines. The distance shall be measured from the midpoint of the front lot line to the midpoint of the rear lot line.

LOT, FLAG: A lot with access provided to the bulk of the lot by means of a narrow corridor.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE: A recorded property boundary line of any single lot which divides one lot from another lot or from a right of way.

LOT LINE, EXTERIOR: A recorded property boundary line which divides a lot from a road right of way.

LOT LINE, FRONT: A recorded property boundary line separating the front yard from a road right of way.

LOT LINE, INTERIOR: A recorded property boundary line which divides one lot from another lot.

LOT LINE, REAR: A recorded property line boundary that does not intersect a front lot line and is most distant from and most closely parallel to the front lot line. A lot bounded by only three (3) lot lines will not have a rear lot line.

LOT LINE, SIDE: Any recorded property boundary line other than a front or rear lot line.

LOT OF RECORD: A designated parcel of land identifiable as a single separate tract which is part of a subdivision, the plat or deed of which has been recorded or registered with the appropriate county office or the deed to which has been recorded or registered with the appropriate county office pursuant to 765 Illinois Compiled Statutes 205, and which is intended to be used, developed or built upon as a unit.

LOT, THROUGH: Any interior lot which has a pair of lot lines along two (2) substantially parallel streets.

LOT, UNIMPROVED: Any lot or tract of land which is unoccupied by any building or aboveground structure and upon which no construction has commenced.

LOT WIDTH: The horizontal distance between side lot lines, measured in feet, at the required front setback line.

LOT, ZONING: A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. The single tract of land may or may not coincide with a lot of record.

LUMINAIRE: A complete lighting unit consisting of the lamp or lamps and ballast(s) together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

MANUFACTURING, HEAVY: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing". Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials and processes that require extensive floor areas or land area for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

MANUFACTURING, LIGHT: The assembly, fabrication or processing of goods and materials using processes that do not create noise, smoke, fumes, odors, glare or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas. "Light manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

MASSAGE ESTABLISHMENT: Refer to section 11.3901 of this code.

MEDICAL CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is registered by the applicable State of Illinois agency designated to oversee said facility to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis in accordance with the laws of the State of Illinois.

MEDICAL CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is registered by the applicable State of Illinois agency designated to oversee said facility to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, individuals with a provisional registration for qualifying patient cardholder status, or an Opioid Alternative Pilot Program participant in accordance with the laws of the State of Illinois.

MEDICAL CANNABIS ORGANIZATION: This term refers to Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations as they are defined in the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, et seq.

MINIWAREHOUSE: A storage or warehousing service within a building for individuals to store personal effects and for businesses to store materials for operation of an industrial or commercial enterprise elsewhere. But in no case may storage spaces in a miniwarehouse facility function as an independent retail, wholesale, business or service use. Spaces may not be used for workshops, hobby shops, manufacturing or similar uses. Human occupancy is limited to that required to transport, arrange and maintain store materials.

MONOPOLE: A type of ground mounted structure that is self-supporting with a single shaft of wood, steel or concrete and a platform (or racks) for panel antennas arrayed at the top. Vertical collocations often have arrays at intermediate positions on the monopole.

MOTEL: A building or group of detached, semi-detached or attached buildings on a lot containing guest rooms each of which has a separate outside entrance leading directly from the outside of the building, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used primarily for lodging accommodations for automobile transients, limited to not more than thirty (30) consecutive days. Motels do not include hotels or extended stay hotels.

OUTDOOR STORAGE CABINET: A structure similar to but smaller than a shed, made from prefabricated panels or purchased fully assembled, used to protect household goods from the elements.

OWNER: Any person, agent, firm or corporation having a legal or equitable interest in the property.

PARK: An area open to the general public and reserved for recreational, educational, cultural, or scenic purposes.

PARK, COMMUNITY: A park by size, program, and location which provides space and recreation activities for a defined service area or a significant geographic segment of the community. Such facilities may provide both outdoor and indoor recreational areas including open space, athletic fields, public pools, community centers, recreational centers, or similar uses and their related off street parking facilities.

PARK, NEIGHBORHOOD: A park by size, program, and location which provides space and recreation activities for residents and businesses located within a one mile radius. Such facilities shall be limited to primarily outdoor recreation areas including open space, athletic fields, tot lots, public pools, or similar uses.

PARKING LOT: Refer to section 15.202 of this code.

PARKING PAD: An open, paved area used by the owner or tenant of a residential property to store automobiles, motorcycles, trucks, vans, recreational vehicle trailers and recreational vehicles, with primary access from a driveway.

PARKWAY: Refer to section 15.202 of this code.

PERGOLA: A freestanding, open roofed structure that is open to the elements, consisting of columns supporting girders and cross rafters upon which vines and other climbing plants may grow.

PERSONAL WIRELESS SERVICE FACILITY: The plant, equipment and property, including, but not limited to: cables, wires, conduits, ducts, pedestals, antennas, electronics and other appurtenances used or to be used to transmit, receive, distribute, provide or offer telecommunications services, as further defined in the telecommunications act. A personal wireless service facility is the appropriate term for "cell site" in ordinances and other official documents.

PERSONAL WIRELESS SERVICES: Commercial mobile radio services, unlicensed wireless services, and common carrier wireless exchange access services.

PETITIONER: Any person filing for any variation, conditional use permit, zoning amendment and/or appeal, change in the comprehensive plan and/or subdivision.

PLANNED UNIT DEVELOPMENT: A parcel of land, or contiguous parcels of land of a size sufficient to create its own character which is planned and developed as a single entity, containing two (2) or more principal structures or uses, with appurtenant common areas and which is under single ownership or control. The plan does not necessarily correspond in lot size, bulk, type of dwelling, use, lot coverage or required open space to

the site's designated zoning district classification. The site may be planned and developed as a whole in a single development operation or in planned development stages.

PLANNING AND ZONING COMMISSION: Refer to section 15.202 of this code.

PLAT: Refer to section 15.202 of this code.

PLAT, FINAL: Refer to section 15.202 of this code.

PLAT OF SURVEY: Refer to section 15.202 of this code.

PRINCIPAL BUILDING: A building or buildings in which the primary use on a lot on which the structure(s) is located is conducted.

PRINCIPAL USE: The main use of land or structures, as distinguished from a secondary or accessory use.

PUBLIC UTILITY: Refer to section 15.202 of this code.

PUBLICLY NAVIGABLE WATERS: Refer to section 22.102 of this code.

RECREATION CENTER: A building, buildings, or use of land operated on a profit basis, with or without membership requirements, for the provision of entertainment, sport, or health/exercise facilities directly to the consumer; including, and limited to, racquet facilities, swimming pool, exercise and weightlifting facilities, basketball courts, jogging track, sauna, whirlpool, suntan booth and accessory uses.

RECREATIONAL EQUIPMENT: Every vehicle or other transportation equipment designed to be used primarily for recreational purposes, including, but not limited to, the following:

Boat: Any vessel used for water travel. A trailer upon which a boat is mounted shall be deemed to be a boat for purposes of this chapter and when such a boat is maintained on a trailer the two (2) shall be considered as one vehicle.

Camping Trailer: A trailer constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use and of a size or weight not requiring an oversize permit when towed on a highway.

Motor Home, Mini-Motor Home Or Van Camper: A self-contained motor vehicle designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk-through access to the living quarters from the driver's seat. Such vehicles must include at least four (4) of the following:

- A cooking facility with an onboard fuel source;

- A gas or electric refrigerator;

- A toilet with exterior evacuation;

- A heating or air conditioning system with an onboard power or fuel source separate from the vehicle engine; or

- A potable water supply system that includes at least a sink, faucet, and a water tank with an exterior service supply connection.

Off The Road Vehicle: A vehicle intended principally for recreational off road use, such as a dune buggy, go-cart, ATV or snowmobile.

Racing Car Or Cycle: A vehicle intended to be used in racing competition, such as a racecar, stock car or racing cycle.

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

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

Vehicle Trailer: A vehicle without its own motor power that is designed to transport another vehicle, such as a boat, motorcycle or snowmobile for recreational or vacation use and that is eligible to be licensed or registered and insured for highway use.

Other Recreational Equipment: Other wheeled items which are designed for recreational use but do not meet the exact definitions of items defined herein.

RECREATIONAL VEHICLE TRAILER: A vehicle with or without its own motor power that is designed to transport another vehicle, such as a boat, motorcycle, or snowmobile for recreational or vacation use and that is eligible to be licensed or registered and insured for highway use.

REHABILITATION HOME: Any residential facility located in a dwelling, under Federal, State or Municipal licensing, which provides a home environment with room and board and recreational personal counseling or other rehabilitative services, generally of nonmedical nature, to not more than twenty five (25) individuals who require specialized assistance in order to achieve personal independence. A rehabilitation home is limited to mentally ill, chemically dependent, or alcohol dependent individuals and abused individuals.

RESEARCH LABORATORY: A building or group of buildings in which are located facilities for scientific research investigation, testing or experimentation, development or research of products or of new and emerging technology, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory or as otherwise permitted in this chapter.

RESIDENTIAL CARE HOME: Any residential facility which under State or Municipal licensing, provides a home environment with services or treatment to persons with certain physical, mental, or social disabilities while functioning as a single unit. A residential care home shall include the following: family care home, group care home, and rehabilitation home.

RESUBDIVISION: The division or consolidation of a previously divided lot or parcel; including alteration of public rights- of-way, easements and other changes of the subdivision.

RETAIL ESTABLISHMENT: Any building or use where the primary occupation is the sale of merchandise and services directly to and for use by consumers, except not institutional, commercial and industrial consumers or for resale.

RETAINING WALL: A freestanding structure designed and constructed to support a mass of earth or resist lateral earth pressures.

RETENTION (WET BOTTOM): Refer to section 15.202 of this Code.

RIGHT-OF-WAY: Refer to section 15.202 of this Code.

SENIOR HOUSING: Housing in which all dwelling units are intended, designed, maintained, and operated exclusively for occupancy by persons sixty two (62) years of age or older.

SHED: Small accessory building, larger than an outdoor storage cabinet, whether or not placed on a permanent foundation, that is designed to store household items and equipment necessary to maintain and keep up the primary structure and the property that it is located upon.

SHOPPING CENTER: A business development containing four (4) or more indoor retail stores, connected by party walls, developed under one ownership, with an integrated building arrangement having an aggregate floor area of more than twenty thousand (20,000) square feet, which developed with its off street accessory parking facilities shall be considered as a single unit. Shopping centers shall include all retail sales and service facilities except drive-in and/or automotive sales and service.

SHOPPING CENTER, REGIONAL: A business development containing ten (10) or more indoor retail stores connected by party walls and developed under one ownership, with an integrated building arrangement, having an aggregate floor area of more than one hundred thousand (100,000) square feet and located on a lot at least twenty (20) acres in size with off street accessory parking facilities. The development shall be considered as a single unit.

SIGHT TRIANGLE: A triangular area established at the intersection of two (2) streets or a street and a driveway. Such a triangle shall have legs of ten feet (10') along the rights-of-way when two (2) streets intersect or when a right- of-way and a driveway intersect.

SITE PLAN: Refer to section 15.202 of this Code.

SMALL WIRELESS FACILITY: Refer to section 9.8A03 of this Code.

SOLAR ENERGY CONVERSION SYSTEM: A solar photovoltaic device that converts solar energy into electricity or mechanical energy that can be used to power machinery, appliances, or generators.

STOOP: A platform at the entrance to a building with a maximum dimension of eight feet (8') in width and five feet (5') in depth.

STREET: Refer to section 15.202 of this Code.

STRUCTURAL ALTERATIONS: Any change in the supporting members of a structure, including bearing walls, columns, beams and/or girders.

STRUCTURE: Refer to section 15.202 of this Code.

STRUCTURE MOUNTED ANTENNA: Antennas located on private property, typically located on structures such as water towers, and sides and roofs of buildings.

STRUCTURE, TEMPORARY: Any structure that is not permanently located, placed, or affixed in the place where it is or where it is intended to be placed.

SUBDIVISION: Refer to subsection 15.103A of this Code.

TAVERN: For purposes of this chapter only, a tavern is a building or portion of a building where alcoholic beverages are sold to be consumed on the premises. Such facilities would not include restaurants where the principal business is serving food.

TERRACE: A landscape treatment of mounded earth, rock wall, railroad tie wall, or other retaining device used to modify steep grade differences on a lot. A terrace shall not include a patio or deck surface.

THEATER: Any building or structure designed for the enactment of dramatic or of musical performances and/or showing of motion pictures with audience seating and open to the general public without age restrictions. A dinner theater shall be deemed a restaurant.

TOBACCO LOUNGE: An establishment where patrons consume tobacco or alternative nicotine products by using combustible tobacco products such as cigarettes, cigars, pipes, and hookah/shisha.

TOBACCO SHOP: A retail establishment which offers the sale or distribution of combustible tobacco products (cigarettes, cigars, pipe tobacco, hookah/shisha), smokeless tobacco products, and dissolvable tobacco products.

TRELLIS: A decorative feature, linearly constructed of latticed or patterned materials, often used to support climbing plants, that is no more than twenty five percent (25%) opaque. Temporary trellises used to support seasonal plants, such as tomato cages or bean pole frames, shall not be considered trellises for the purposes of the regulations outlined in section 14.319 of this chapter.

TRUCK TERMINAL: Either end of a carrier line or junction joint with other lines having classifying yards or dock facilities, management offices, storage sheds and freight and passenger stations for State licensed trucks.

UNENCLOSED PORCH: A roofed, open structure, without walls, screens, or windows, attached to and part of a structure, with direct access to and from the structure.

UNIFORMITY RATIO: The average or maximum level of illumination in relation to the lowest level of illumination for a given area.

UNIQUE USE: A use not listed as a permitted use, special use or conditional use within any zoning district.

UNLICENSED WIRELESS SERVICES: Commercial mobile services that can operate on public domain frequencies and, therefore, need no Federal Communications Commission (FCC) license for each cell site.

UNPERMITTED SECOND HOUSEKEEPING UNIT: Any living quarters, located in a single-family residential zoning district that:

- A. Is within the walls of another dwelling unit or physically connected to a detached single-family home; and
- B. Contains its own kitchen unit that is in addition to the main kitchen unit in the residence; and
- C. Does not have free and unlimited physical access to the remainder of the dwelling unit.

USE: Any purpose for which a structure or a tract of land may be designed, arranged, intended, maintained or occupied. Also, any activity, occupation, business or operation carried on, or intended to be carried on, in or on a structure or on a tract of land.

VAPE LOUNGE: An establishment where patrons consume tobacco or alternative nicotine products by utilizing vapes, vaporizers, vape pens, hookah pens, electronic cigarettes (e-cigarettes or e-cigs), e-cigars, e-pipes and other electronic nicotine delivery systems (ENDS).

VAPE SHOP: A retail establishment which offers the sale or distribution of vapes, vaporizers, vape pens, hookah pens, electronic cigarettes (e-cigarettes or e-cigs), e-cigars, e-pipes and other electronic nicotine delivery systems (ENDS). These products use an "e-liquid" that may contain nicotine derived from tobacco, as well as flavorings, propylene glycol, vegetable glycerin, and other ingredients. The liquid is heated to create an aerosol that the user inhales.

VARIATION: A dispensation permitted on individual parcels of property as a method of alleviating unnecessary hardship by allowing a reasonable use of the building, structure or property which, because of unusual or unique circumstances, is denied by this Code.

VEHICLE TRAILER: A wheeled vehicle, including a recreational vehicle trailer, without its own motor power, that is designed to transport any material, object or objects and that is designed so that it is eligible to be licensed or registered for highway use.

VILLAGE: The Village of Mount Prospect.

VILLAGE MANAGER: Refer to section 15.202 of this Code.

WAREHOUSE, STORAGE: A business that receives and stores goods of others for compensation or profit.

WHIP ANTENNA: A thin rod that beams and receives a signal in all directions.

WHOLESALE ESTABLISHMENT: Any building, business or use where the primary occupation is the sale of merchandise in gross for resale to the retail dealers and/or use or resale of merchandise by institutional, commercial, and/or industrial businesses.

WIND ENERGY CONVERSION SYSTEM: An apparatus for converting the energy available in the wind to electricity or mechanical energy that can be used to power machinery, appliances, or generators.

YARD: The required minimum open space on a lot between a lot line and building setback line which is unoccupied and unobstructed from grade upward, except as provided in the general provisions of this chapter.

Exterior Side: A side yard abutting a street that extends to the rear lot line rather than the rear setback line.

Front: A yard extending along the full width of the front lot line between the side lot lines and the front building setback line.

Interior Side: A side yard adjacent to another lot or tract of land.

Rear: A yard extending along the full width of the rear lot line between the side lot lines and the rear building setback line for typical interior lots, or, in the case of a corner lot, a yard extending along the rear lot line between the side lot line and the exterior side building setback line.

Side: A yard extending along the side lot line from the front yard to the rear yard and measured between the side lot and building setback line of the property.

ZONE: A mapped area of the Village of Mount Prospect, exclusive of streets, alleys and other public ways, within which certain uses of land, premises and buildings are permitted when constructed and used in accordance with this Code. (Ord. 6286, 12-6-2016; amd. Ord. 6330, 6-6-2017; Ord. 6411, 10-16-2018; Ord. 6528, 9-2-2020; Ord. 6548, 12-1-2021; Ord. 6583, 9-5-2021; Ord. 6657, 12-20-2022; Ord. 6669, 3-21-2023; Ord. 6729, 3-5-2024)