

ARTICLE TWO: DEFINITIONS

Section 2.1 General

The purpose of this Article is to establish the meaning of words that are subject to different interpretations. For the purposes of this Article, the definitions listed shall have the meaning specified herein, except where the text clearly indicates or requires a different meaning.

Section 2.2 Definitions

2.2.1 Letter A:

- A. **Abandoned** shall mean the discontinuance of a nonconforming use for a period of six continuous months or more. Cessation of a use due to damage caused by fire, explosion, or catastrophe does not constitute abandonment unless there is no action to commence restoration within twelve months of the incident. Any period of discontinuance of a commercial or industrial use caused by strikes, material shortages, or other circumstances without fault and beyond the control of the owner shall not be considered in calculating the length of discontinuance.
- B. **Access** shall mean a way or means of approach to provide vehicular physical entrance to a property.
- C. **Access drive.** See "Driveway or Driving Lane".
- D. **Accessory apartment** shall mean a separate dwelling unit within an owner-occupied single-family detached dwelling, complete with its own sleeping, cooking, and sanitary facilities.
- E. **Accessory office** shall mean an office use within an owner-occupied single-family detached dwelling.
- F. **Accessory parking lot** shall mean a parking lot, serving a use on another lot.
- G. **Accessory use** shall mean for purposes of this Ordinance a structure or use on the same lot as a principal use provided that such use meets all of the following characteristics:
 - 1. The use is related to the principal use.
 - 2. The use is incidental or subordinate to the principal use.
 - 3. The use is allowed as permitted, provisional, or special use in this district, or is a home occupation.

- H. **Adjacent** shall mean adjoining, bordering, touching, or contiguous. This shall also include two lots which are separated by a street, public alley.
- I. **Alley** shall mean any public way whose primary function is to furnish secondary vehicular access to the side or rear of properties abutting on each side and having their main access on a street.
- J. **Alteration** shall mean any act or process which changes one or more of the exterior architectural features of a building and/or improvements to the building which are subject to the design standards for a Landmark, or a Conservation or Historic District in which the building is located, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.
- K. **Alteration, structural** shall mean any change in the structural members of a building, such as foundations, bearing walls, columns, beams, or girders.
- L. **And/or** shall mean “and” may be read “or” and “or” may be read “and” if the sense requires it.
- M. **Applicant** shall mean a person submitting an application for planning or zoning action.
- N. **Arterial, major.** See “Street, arterial”.
- O. **Assembly, manufacturing** shall mean the process of assembling and packaging pre-manufactured items into a single final product.
- P. **Assembly, public** shall mean a place for groups of people to gather for an event or regularly scheduled program. Places of public assembly include but are not limited to arenas, churches, lecture halls, banquet facilities, and similar facilities.
- Q. **Associated use** shall mean a commercial or industrial enterprise which owns or leases an accessory parking lot for the exclusive use of its or their tenant’s customers and employees.
- R. **Automobile repair, major** shall mean general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers; collision services, including body, frame, or fender-straightening, and repair; vehicle painting, or paint shop, vehicle steam cleaning; servicing to trucks exceeding one and one-half tons capacity.
- S. **Automobile repair, minor** shall mean replacement of parts and motor services to passenger cars and trucks not exceeding one and one-half tons capacity, excluding body repairs.

- T. **Automobile salvage yard** shall mean a lot, land, building, or structure, or part thereof, used primarily for the collecting, dismantling, storage, and salvaging of inoperable vehicles.
- U. **Automobile service station** shall mean a place where gasoline, kerosene, or any other motor fuel, lubricating oil or grease for operating motor vehicles is offered for sale to the public, and deliveries are made directly into motor vehicles, including greasing and oiling on the premises, and including minor automobile repairs.
- V. **Awning** shall mean an architectural projection that provides weather protection, and is wholly supported by the structure to which it is attached. The awning may provide a business sign or identification, or decoration of the structure to which it is attached. An awning is comprised of a lightweight, ridged skeleton structure over which a rigid covering is attached.
- W. **Awning or canopy sign** shall mean an on-premise business sign, other than a projecting sign, located upon a canopy or awning.

2.2.2 **Letter B:**

- A. **Balcony** shall mean an exterior platform on a structure, projecting from the wall.
- B. **Bank** shall mean the natural or man made slope immediately bordering the watercourse or waterbody containing and/or confining the normal water flow.
- C. **Banner** shall mean a strip of flexible material such as cloth, paper, or plastic, securely fastened on all corners to a building or a structure and used to advertise a special event.
- D. **Basement** shall mean that portion of a building which is partly or completely below grade. A basement shall be considered a story above grade when the distance from grade to the finished surface of the floor above the basement is more than six feet for more than fifty percent of the total perimeter or more than twelve feet at any point.
- E. **Bed and breakfast homestay** shall mean an owner-occupied single-family detached dwelling in which no more than three bedrooms are rented to transient guests on an overnight basis and in which breakfast only is served to overnight guests.
- F. **Bed and breakfast inn** shall mean converted single-family detached dwelling in which rooms are rented to transient guests on an overnight basis. Serving food and subordinate retail sales to the general public are permitted activities within a bed and breakfast inn.

- G. **Bedroom** shall mean a room intended for or capable of being used for sleeping and which is at least seventy square feet in area. A room designated on building plan submittals as a "den", "library", "study", "loft", or other extra room which satisfies the definition and is not a kitchen, living room, or bath, will be considered to be a bedroom for the purpose of computing bedroom area.
- H. **Bedroom area** shall mean the floor area of a bedroom exclusive of closet and bathrooms.
- I. **Berm** shall mean a man made landform, typically built as an earth mound.
- J. **Block** shall mean a unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterbody or any other barrier to the continuity to development.
- K. **Board of Trustees** shall mean the governing body of the Village.
- L. **Boarding/Rooming House** shall mean a single-family dwelling where more than two but less than six rooms are provided for lodging for definite periods of times. Meals may or may not be provided, but there is one common kitchen facility. No meals are provided to outside guests.
- M. **Bond** shall mean an obligation in writing, binding the signatory to pay a sum certain upon the happening or failure of an event.
- N. **Buffer area** shall mean land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances. Buffer areas may include fences, berms, shrubs, or trees to mitigate the impacts of the more intense use.
- O. **Building.** See "Structure."
- P. **Building height.** See "Height".
- Q. **Building line** shall mean a line parallel to or concentric with the street right-of-way line at any story level of a structure and representing the closest point of any structural part of the building is set back from such right-of-way line.
- R. **Building, principal.** See "Structure, principal".
- S. **Bulk regulations.** See "Development standards".

- T. **Bulletin board sign** shall mean a sign of permanent character, but with manually movable letters, words, or numerals indicating the names of persons associated with or events conducted upon or products or services offered upon the premises where such sign is maintained.
- U. **Bulk storage** shall mean the storage of chemicals, petroleum products, or hazardous materials in above ground or below ground storage containers designed for wholesale distribution or mass consumption.
- V. **Business** shall mean any profession, trade, occupation and any other commercial enterprise conducted for monetary reward.
- W. **Business day** shall mean Monday through Friday, from 8:00 a.m. until 5:00 p.m., excepting therefrom legal holidays.
- X. **Business sign** shall mean a sign which directs attention to or identifies a business or which directs attention to or identifies a commodity, service or entertainment to be sold or offered for sale. Any sign displaying the name of a business enterprise shall be conclusively presumed to be a business sign. Any sign displayed on a lot occupied by a business enterprise shall be presumed to be a business sign.
- Y. **By law (law)** shall mean as provided by statute of the United States or State of Illinois, or Ordinance of the Village.

2.2.3 Letter C:

- A. **Caliper** shall mean a measurement of the size of a tree equal to the diameter of the trunks measured eighteen inches above natural grade.
- B. **Canopy** shall mean an architectural projection that provides weather protection and is supported by the building to which it is attached and the outer end by not less than two stanchions. A canopy is comprised of a rigid structure over which a rigid covering is attached. The awning or canopy may provide a business sign or identification, or decoration of the structure which it is attached to. A canopy shall project not less than two feet and is comprised of a rigid structure over which a rigid covering is attached.
- C. **Carport, freestanding** shall mean a freestanding roof structure open on all sides intended to provide protection for motor vehicles parked below. For purposes of signage, signs on freestanding carports shall be treated as wall signs.
- D. **Cellar** shall mean a story of building having more than three-fourths of its height below the level of the finished grade at all points on walls facing front and side yards.

- E. **Cemetery** shall mean land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes.
- F. **Clerk** shall mean Village Clerk.
- G. **Clinic** shall mean a place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons, and those who are in need of medical or surgical attention, but who are not provided with board or kept overnight on the premises.
- H. **Club, country** shall mean a membership organization whose facilities are available for use only by its dues paying members and their guests. The term shall include private country clubs that have at least a nine hole golf course.
- I. **Cluster, development** shall mean a form of Planned Development that permits a reduction in lot area, provided that the overall floor area ratio and open space requirements comply with the requirements in this Ordinance, and overall density levels are maintained. The clustering of dwelling units in one area on smaller lots allows the preservation of environmentally sensitive features and areas that can be dedicated to common open space.
- J. **Collector street.** See "Street, collector".
- K. **College** shall mean an educational institution authorized by the State to award associate, baccalaureate, or higher degrees.
- L. **Commercial feed lot** shall mean any tract on which the principal use is the concentrated or forced feeding of livestock, fowl, or edible animals for the sale of such animals or the sale of products derived from such animals.
- M. **Commercial recreation, indoor** shall mean establishments where recreational or sporting activities are carried on completely indoors and operated by a commercial for profit operation. Such establishments may include, but not be limited to, bowling alleys, dance halls, skating rinks, racquet clubs, indoor swimming pools, gyms, and other similar facilities. Commercial recreation facilities do not include facilities owned and operated by a governmental agency and open to the general public.
- N. **Commercial recreation, outdoor** shall mean recreational or sporting activities that are conducted outdoors and operated by a commercial, for profit operation, or for private membership. Such establishments may include, but not be limited to, miniature golf, batting cages, go-cart tracks, stables and other similar operations. Commercial recreation facilities do not include facilities owned and operated by a governmental agency and open to the general public.

- O. **Commercial service** are those retail establishments that primarily render services rather than goods. Such services may include, but not be limited to, copy shops, printing services, package and postal services, photo processing, janitorial services, and similar operations.
- P. **Common lot line dwellings.** See "Dwelling, common-lot-line".
- Q. **Community living facility** shall mean a dwelling unit operated to provide supervision, food, lodging, or other services to a service dependent population as herein defined, living and cooking together in a single cooperative housekeeping unit, consisting of:
1. A basic group of members of a service dependent population and;
 2. Additional staff persons providing supervision of service to the basic group.
- R. **Community living facility, Category I (CLF1)** shall mean a community living facility with a basic group limited to not more than four service dependent individuals plus a maximum of two resident (live-in) staff at any given time, subject to a higher number of staff if required to meet State or Federal regulations. Said facility is intended for permanent placements, and shall not be for crisis or short-term, transient placements.
- S. **Community living facility, Category II (CLF2)** shall mean a community living facility with a basic group limited to not more than eight service dependent individuals plus a maximum of two resident (live-in) staff at any given time, subject to a higher number of staff if required to meet State or Federal regulations. Said facility is intended for permanent placements, and shall not be for crisis or short-term, transient placements.
- T. **Community living facility, Category III (CLF3)** shall mean a community living facility with a basic group limited to not more than sixteen service dependent individuals plus staff. Said facility may be used for temporary placement of service dependent individuals.
- U. **Conforming use** shall mean any use of a structure or land which is a permitted, or approved provisional or special use in the district in which the structure or land is situated and which conforms to the regulations of that district and all other regulations of this Ordinance.
- V. **Conservation district** shall mean an area designated as a "Conservation District" by Ordinance of the Village Board which contains buildings or sites within definable geographic boundaries that, while not of such historic and/or architectural significance to be designated as a Landmark or included within a Historic District, nevertheless are characterized by sound housing or commercial buildings that contribute to the visual

characteristics or distinctive atmosphere of the neighborhood in which such property is located.

- W. **Construction** shall mean any act or process which requires a building permit and which adds an addition onto an existing building or erects a new principal or accessory structure on a lot which is subject to the design standards for the district in which the property is located.
- X. **Contributing building** shall mean a building, site, structure, or object that adds to the historic association, historic architectural quality, or cultural values because it was present during the period of significance, relates to the documented significance of the property, and possesses historic integrity, or is capable of yielding important information about the period.
- Y. **Convenience store** shall mean a retail food store selling predominately food items that has a floor area less than ten thousand square feet.
- Z. **County** shall mean Champaign County, Illinois.
- AA. **Courtyard** shall mean an open, uncovered and unoccupied space, other than a yard, which is surrounded in part by the walls of a building.

2.2.4 Letter D:

- A. **Day care center/nursery school** shall mean a building or portion thereof, properly licensed by the State of Illinois or any other applicable governmental agency used to receive infants, preschool, or school age children, or combinations thereof, for short term hours of care, not providing for overnight occupancy, and used to provide essential personal care, protection, supervision, training or programs to meet the needs of the children served, but which shall not include school or day/night care home.
- B. **Day/night care home** shall mean a dwelling unit actually occupied by a family, properly licensed by the State of Illinois or any other applicable governmental agency which is used or designed to be used for care of not more than eight children under the age of sixteen years who are not part of the family occupying the dwelling unit; provided that the maximum of eight children includes all children under the age of sixteen years who are part of the family occupying the dwelling unit, and provided further that any children who are not part of the family are received for care for less than twenty-four consecutive hours.
- C. **Demolition** shall mean any act or process which destroys in part or whole a feature of a building which is subject to the design standards for a Landmark or building within a Conservation or Historic District.

- D. **Density** shall mean the number of dwelling units per acre.
- E. **Density, gross** shall mean the density based on all land within the boundaries of the particular area.
- F. **Density, net** shall mean the density based on land within the boundaries of the particular area excluding public rights-of-way.
- G. **Design standards** shall mean a set of guidelines regarding the architectural appearance of a building, or improvement, which governs the alteration, construction, demolition, or relocation of a building, or improvement.
- H. **Destroyed** shall mean damage to a building caused by fire, explosion, or other catastrophe in which the costs to reconstruct or repair the building exceed more than seventy-five percent of the value of the building immediately prior to the time the damage occurred.
- I. **Development standards** shall mean standards for zoning lots or the placement or size of a building on the lot. See Article Four.
- J. **District** shall mean a territory delineated on the zoning map for which the regulations and restrictions of this Ordinance governing the use of land and buildings, the height of buildings, the bulk of buildings, the floor area, the open space, the size and location of yards, and the off-street parking facilities are uniform.
- K. **Dormitory** shall mean a building in which lodging is regularly provided or offered for compensation to three or more persons by prearrangement and for definite periods of time, and in which provisions for cooking facilities within individual units may or may not be provided.
- L. **Drive-in or drive-through** shall mean a building or portion thereof which is designed to provide either wholly or in part service to customers in vehicles that are either parked or stacked in a service lane. Drive-in facilities include, but are not limited to, drive-in restaurants, drive-in banking facilities, and other uses with drive-up windows.
- M. **Driveway or driving lane** shall mean a private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.
- N. **Duplex.** See "Dwelling, two-family".

- O. **Dwelling** shall mean any building or a portion of a building, occupied or designed to be occupied by one or more units each of which is used or designed to be used as a permanent place of abode for human occupancy.
- P. **Dwelling, attached** shall mean a one-family dwelling attached to one or more one-family dwellings by common vertical walls.
- Q. **Dwelling, common-lot-line** shall mean a dwelling unit that adjoins another dwelling unit at a common lot line with each dwelling unit being located on its own separate lot.
- R. **Dwelling, detached** shall mean a dwelling which is not attached to any other dwelling unit or structure.
- S. **Dwelling, multifamily** shall mean a dwelling or portion of a building containing three or more dwelling units.
- T. **Dwelling, single-family** shall mean one detached dwelling on an individual lot.
- U. **Dwelling, two-family** shall mean a dwelling containing two dwelling units on a single lot. This is commonly referred to as a duplex.
- V. **Dwelling, unit** shall mean one or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

2.2.5 Letter E:

- A. **Easement** shall mean a grant of one or more of the property rights by the grantor or property owner to the grantee for use by the public, a corporation, or another person or entity.
- B. **Easement, drainage** shall mean an easement required for the installation of stormwater sewers, stormwater control apparatus, or drainage ditches, and/or required for the preservation or maintenance of a drainage way, natural stream or watercourse or other drainage facility.
- C. **Easement, maintenance** shall mean an easement required to provide access for maintenance of an adjoining stream, building, or property.
- D. **Easement, utility** shall mean a general easement for the location and maintenance of public utilities.

- E. **Egress** shall mean an exit.
- F. **Electronic bulletin board** shall mean a sign of permanent character, but with electronically changeable letters, words, or numerals indicating the names of persons associated with or events conducted upon or products or services offered upon the premises where the sign is maintained which changes no more than once in any fifteen minute period, illuminated internally by means of electric bulbs or other similar methods, controlled electronically and able to be programmed to change indefinitely.
- G. **Electronic message sign - changing** shall mean a sign displaying words or numerals indicating the names of persons associated with or events conducted upon or products or services offered upon the premises where the sign is maintained, which changes more than once in any fifteen minute period, and is illuminated internally by means of electric bulbs or other similar methods, controlled electronically and able to be programmed to change indefinitely.
- H. **Emergencies** shall mean life or health-threatening condition which requires immediate attention.
- I. **Emergency shelter for the homeless** shall mean a building utilized for emergency housing in a dormitory-style setting in which each resident lives at the shelter for a period not to exceed sixty consecutive days.
- J. **Enlargement** shall mean an increase in the exterior footprint of an existing structure or building.
- K. **Erosion** shall mean the detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.
- L. **Expansion.** See "Enlargement".
- M. **Exterior architectural appearance** shall mean the architectural character and general composition of the exterior of a structure, including, but not limited to the kind and texture of the building material and the type, design, and character of all windows, doors, light fixtures, ornamental details, signs, and appurtenant elements.

2.2.6 Letter F:

- A. **Factory built home** shall mean a home including modular, precut, paneled, kit and log homes. Such homes consist of panels or precut materials which are shipped to the site and assembled there.

- B. **Family** shall mean a person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit, as distinguished from a group occupying a rooming house, motel, hotel, fraternity, or sorority house, provided, however, that for the purposes of definition, "family" shall not include more than four persons unrelated to each other by blood, marriage, or legal adoption. "Family" shall include members of the service dependent population living in community living facilities and recovery homes as herein defined.
- C. **Farm** shall mean a property used for the growing and storage of the usual agricultural products such as grain, vegetables, and fruit. The term "farms" includes the utilization of such land for one or more of the above uses with the necessary operations for treating or storing the produce provided, however, that the operation of any accessory uses shall be secondary to that of the normal farming activities.
1. A commercial feel lot shall not be considered a farm.
 2. Residential structures occupied by persons primarily engaged in farming at the location of the farm shall be included in the term "farming". However, there shall not be more than three dwelling units on any one farm.
- D. **Farm, livestock** shall mean a tract of land used for growing and storage of the usual agricultural produces such as grain, vegetables, and fruit, as well as for the raising thereon of the usual farm poultry and farm animals, including but not limited to horses, cattle, sheep and swine.
- E. **Financial institution** shall mean a bank, savings and loan, credit union, mortgage office, or automated teller machine. "Financial institution" shall not include a currency exchange.
- F. **Fitness and beauty services** shall mean facilities offering services for personal grooming, appearance, and physical fitness. Such facilities include, but are not limited to barbers, beauty salons, tanning salons, massage parlors, health clubs, and other similar operations.
- G. **Flag, business** shall mean a flag displaying the name, insignia, emblem, or logo of a profit-making entity.
- H. **Flag, public** shall mean a flag displaying the name, insignia, emblem, or logo of any nation, state, municipality, or noncommercial organization.
- I. **Flashing sign** shall mean a sign which exhibits artificially changing light or color effects which is visible from the right-of-way or adjoining properties.

- J. **Flood** shall mean a general or temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation of the runoff of surface waters from any source.
- K. **Floodplain** shall mean the land adjacent to a body of water with ground surface elevations at or below the base flood or a particular year frequency flood elevation.
- L. **Floor area** shall mean gross floor area, measured to the outside walls, but exclusive of such floor area as may be used for:
 - 1. Parking facilities within the principal building.
 - 2. Cellars in single-family dwellings.
 - 3. Penthouse housing ventilators, heating systems, and similar uses.
 - 4. Enclosed space devoted exclusively to recreational use.
- M. **Footcandle** shall mean a measure of illumination on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.
- N. **Freestanding sign or outdoor advertising sign structure** shall mean a sign or outdoor advertising sign structure secured to the ground and not attached to a building.
- O. **Frontage** shall mean that portion of a lot abutting a street.

2.2.7 Letter G:

- A. **Garage, private** shall mean an accessory structure or a portion of a principal structure designed for the storage of one or more automobiles belonging to the occupants of a specified dwelling. This term shall also include a "car port".
- B. **Garage, public parking** shall mean any structure used for the storage of more than one automobile for compensation.
- C. **Gas station.** See "Automobile service station".
- D. **Gender** shall mean words in any section importing the masculine gender shall include the feminine and neuter as well as the masculine.
- E. **Government building** shall mean a structure or a portion thereof used for the operations of Village of Tolono, State of Illinois, Federal government, or any other unit of government authorized by Village, State, or Federal legislation. Buildings owned by a governmental entity which are leased or operated as a private enterprise shall not be classified as a government building.

- F. **Gross area** shall mean the entire area within the development boundaries.
- G. **Groundwater** shall mean the supply of fresh water under the surface in an aquifer or soil that forms a natural reservoir.
- H. **Group housing, university** shall mean group housing structures, certified by the University as approved residences for University students. Such housing structures include dormitories, fraternities, sororities, and other certified structures.

2.2.8 **Letter H:**

- A. **Hazardous substance** shall mean any substance defined as hazardous by the Village, State or Federal Government from time to time.
- B. **Height, building** shall mean the vertical distance from the average established grade in the front of the lot or from the average natural grade at the building line, if higher, to the average height of the top of the cornice of flat roofs, to the deck line of a mansard roof, to the mid-height of the highest gable or dormer in a pitched or hipped roof or if there are no gables or dormers to the mid-height of a pitched or hipped roof.
 - 1. Where a lot faces on two or more streets or alleys of different average established grades in front of the lots, the higher of such grades shall control only for a depth of one hundred twenty feet perpendicularly back from the street line of the higher street or alley.
 - 2. On a corner lot, the height is the mean vertical distance from the average established grade or from the average natural grade at the building line, if higher, on the street of greatest width, or, if two or more streets are of the same width, from the higher of such grades.
- C. **Height, sign or outdoor advertising sign structure** shall mean the height of a sign or outdoor advertising sign structure shall be the distance from the top of the highest portion of the sign or structure to:
 - 1. the grade at the foundation of the sign or outdoor advertising sign structure; or
 - 2. the average grade of the lot, whichever distance is greater.
- D. **Health officer** shall mean any person designated by the President of the Board of Trustees to perform the Village health functions and duties.
- E. **Historic** shall mean includes, but is not limited to cultural, artistic, social, economic, ethnic, or political heritage.

- F. **Historic district** shall mean an area designated as a "Historic District" by Ordinance of the Village Board of Trustees which contains within definable geographic boundaries, properties, or buildings, which may or may not be landmarks, which contribute to the overall historic character of the designated area.
- G. **Historic preservation design standards.** See "Design standards".
- H. **Home occupation** shall mean an accessory use within a dwelling unit, involving the manufacture, provision or sale of goods or services or a combination thereof, which is carried on by residents of the dwelling unit.
- I. **Hospital** shall mean a building or portion thereof used for the treatment of sick, injured or infirm persons and licensed as a hospital by the State.
- J. **Hotel/motel** shall mean a building in which lodging or lodging and meals are regularly provided or offered to the public for compensation and which is customarily open to transient guests.

2.2.9 Letter I:

- A. **ILCS** shall mean the abbreviation for the latest edition of the Illinois Compiled Statutes.
- B. **Illuminated sign** shall mean a sign designed to give forth any artificial light or reflect light from any artificial source.
- C. **Immediately adjacent** shall mean adjoining, bordering, touching, or contiguous. If two lots are separated by a street, public alley or public walk, they shall not be deemed immediately adjacent.
- D. **Improvement** shall mean any building, structure, bridge, work of art, area, parking facility, public facility, fence, gate, wall, landscaping, or other object constituting a physical addition to real property, or any part of such addition.
- E. **Ingress** shall mean access or entry point.
- F. **Institutional use** shall mean a nonprofit or quasi-public use or institution such as a church, library, public, or private school, hospital, or municipally owned or operated building, structure or land used for public purpose.

- H. **Instructional or directional sign** shall mean a sign conveying instructions or directions with respect to the lot on which it is located. A business name or logo may be a part of an instructional or directional sign, providing that it occupies less than fifty percent of the surface area.
- I. **Internal circulation system** shall mean a road providing primary access to properties within a planned development, special use, or other unified development.

2.2.10 **Letter J:**

- A. **Joint authority** shall mean that authority given to several persons or officers. Such authority vests in a majority of such persons or officers.
- B. **Junkyard** shall mean a lot, land, building, or structure, or part thereof, used primarily for the collecting, storage, and/or sale of scrap metal, or for the collecting, dismantling, storage, salvaging of machinery, appliances, or inoperable vehicles.

2.2.11 **Letter K:**

- A. **Keeper** shall mean one in possession of or who has the care, custody or superintendence of a thing, place or business whether or not the owner or proprietor which may include any person, firm, association, corporation, club and co-partnership whether acting by themselves or by a servant, agent, or employee.
- B. **Kennel** shall mean any structure or premises on which five or more domesticated animals are kept, maintained, boarded or offered for sale.

2.2.12 **Letter L:**

- A. **Landmark** shall mean a property, structure, or building designated as a "Landmark" by Ordinance of the Village Board of Trustees which is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the Village of Tolono.
- B. **Landscape** shall mean the berms, trees, shrubbery, lawns, grass, and ground cover which is on a parcel.
- C. **Landscape setback** shall mean that area along the common property line, associated with the side or rear yard areas of a lot, which is to be improved with berms, trees, shrubs, ground covers, and/or structural screening walls for the purpose of physically separating and buffering adjacent land uses.

- D. **Landscaping** shall mean changing, rearranging, or adding to the original vegetation or scenery to produce an aesthetic effect.
- E. **Loading space or area** shall mean an off-street space or berth on the same lot with a building or contiguous to a group of buildings for the parking of a vehicle while loading or unloading merchandise or materials and which abuts upon a driveway, street, alley, or other appropriate means of access.
- F. **Local street.** See "Street, local".
- G. **Lodge** shall mean a membership organization which holds regular meetings and which may, subject to other regulations controlling such uses, maintain dining facilities, serve alcohol, or engage professional entertainment for the enjoyment of dues paying members and their guests. There are no sleeping facilities. This definition shall not include fraternities or sororities.
- H. **Lot** shall mean a unit of land intended to be used for the development of a principal use.
- I. **Lot, adjacent** shall mean adjoining, bordering, touching or contiguous. If two lots are separated by a street, public alley, or public walk, they shall not be deemed to be adjacent.
- J. **Lot, corner** shall mean a lot abutting two or more streets at their intersection, or upon two parts of the same street, such intersecting streets or parts of the same street forming an interior angle of less than one hundred thirty-five degrees.
- K. **Lot coverage** shall mean that portion of the lot that is covered by buildings and structures.
- L. **Lot, double frontage.** See "Lot, through".
- M. **Lot, interior** shall mean a lot other than a corner lot.
- N. **Lot line** shall mean the perimeter of a lot as defined by public records which divides one lot from another lot or from a public or private street or any other public space.
- O. **Lot line, front** shall mean the line dividing a lot from a street, unless the property fronts two streets. In this instance, the front line shall be the shortest line of the two if the shorter line is eighty percent or less of the longer. In the instance the line is not, then the property owner may choose which line is the front line.

- P. **Lot line, rear** shall mean the lot line opposite the front lot line. In the case of an irregular or triangular shaped lot, it shall mean a line within the lot, ten feet long parallel to and at the maximum distance from the front lot line.
- Q. **Lot line, side** shall mean any lot line other than a front or rear lot line.
- R. **Lot of record** shall mean a lot which exists as shown or described on a plat or deed which has been recorded in the office of the Recorder of Champaign County.
- S. **Lot, rowhouse, exterior** shall mean a lot which is or is intended to be a site for a rowhouse with a similar rowhouse attached on only one side.
- T. **Lot, rowhouse, interior** shall mean a lot which is or is intended to be a site for a rowhouse with a similar rowhouse attached on each side.
- U. **Lot, through** shall mean a lot having frontage on two streets, but not a corner lot.
- V. **Lot, zoning** shall mean one or more buildable lots located within a single block, which is designated as a tract to be used, developed, or built upon as a unit under single ownership or control. A zoning lot may or may not coincide with a lot of record.
- W. **Low-rise multi-family residential** shall mean a single structure of two or three stories in height. Each dwelling unit is confined horizontally to an individual floor or combination of floors, but with a dwelling unit immediately above and/or below.
- X. **Luminaire** shall mean luminaire means a complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

2.2.13 **Letter M:**

- A. **Major planned development** shall mean a development which meets either of the following conditions:
1. Comprises more than sixty thousand square feet of land area, or;
 2. Proposes more than twenty thousand square feet of gross building area or more than twenty dwelling units.
- B. **Manufactured home** shall mean a structure transportable in one or more sections, which in the traveling mode is eight feet wide or more and forty feet long or more, and, when erected, is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities. Also see Section 3.12.2.A.

- C. **Manufacturing 1, heavy** shall mean the converting of raw or partially processed materials into a product used for further processing or distribution. Examples of heavy manufacturing include lumber and paper mills, sewage treatment plants, stone, clay, and glass product manufacturing, asphalt and concrete batch plants, and similar operations. These uses may be conducted partially or wholly outdoors and usually create noxious by-products such as dust, fumes, hazardous waste products, noise, vibration, and glare.
- D. **Manufacturing 2, heavy** shall mean includes the same processes as heavy manufacturing 1, but these uses pose special health or safety hazards requiring special use review. Such uses include acid manufacture, cement, lime, gypsum manufacture, explosive manufacture or storage, fertilizer manufacture, petroleum refining, or petrochemical plant, smelting of tin, copper, zinc, or iron ores, stockyards, and other similar uses.
- E. **Manufacturing, light** shall mean the assembling, altering, processing, converting, or finishing of pre-processed materials for food or consumer products. Operations are conducted mostly indoors with limited by-products.
- F. **May** shall mean permissive and discretionary.
- G. **Mid-rise multi-family residential** shall mean a single structure of between two and three stories in height which includes multiple dwelling units with individual entrances to each dwelling from a shared interior corridor or common area. Each dwelling unit is confined horizontally to an individual floor or combination of floors, but with a dwelling unit immediately above and/or below.
- H. **Mini-mart** shall mean a convenience store where food and grocery items are sold along with motor fuel.
- I. **Minor planned development** shall mean a Planned Development which does not come within the definition of Major Planned Development.
- J. **Minor works** shall mean those exterior changes that do not involve substantial alterations, additions, or removals that could impair the integrity of the property and/or the district as a whole.
- K. **Mitigation Plan** shall mean a strategy developed by the property owner, Plan Commission, and/or the Zoning Board of Appeals to eliminate as many nonconforming aspects of a nonconforming use as possible and to alleviate or mitigate any negative impacts of the use on surrounding properties.
- L. **Mixed Use** shall mean the principal use of a tract of land or structure with two or more different uses. Each use must comply with the use regulations of this Ordinance.

- M. **Modular Home.** See “Factory built home.”
- N. **Mobile Home.** See Manufactured home and Section 3.12.2.
- O. **Month** shall mean a calendar month.
- P. **Multi-family dwelling.** See “Dwelling, multi-family”.

2.2.14 **Letter N:**

- A. **Net area** shall mean the area within the development boundaries not including areas for public or private streets, driveways, or utility easements.
- B. **Nonconforming feature** shall mean a characteristic of a building or property such as signs, parking, loading, landscaping, performance standards, or condition of a special/provisional use which lawfully existed prior to the enactment of the requirements of this Ordinance, but does not comply with the current requirements of this Ordinance.
- C. **Nonconforming location** shall mean a use which lawfully existed prior to the enactment of the requirements of this Ordinance and is permitted in the zoning district, but does not meet the location requirements of the district.
- D. **Nonconforming lot** shall mean a lot which lawfully existed prior to the enactment of the requirements of this Ordinance, but which does not meet the minimum lot size or lot width requirements of the zoning district in which it is located.
- E. **Nonconforming sign or outdoor advertising sign structure** shall mean a nonconforming sign or outdoor sign structure which:
 - 1. A sign or outdoor advertising sign structure lawfully erected, constructed, installed, or maintained prior to the enactment of the regulations in this Ordinance, which does not conform to the standards or requirements for permitted signs and is not specifically prohibited; or
 - 2. A sign or outdoor advertising sign structure lawfully erected, constructed, installed, or maintained after the enactment of the regulations in this Ordinance, which does not conform to existing standards or requirements for permitted signs because of annexation, change in zoning districts, or amendments to this Ordinance.
- F. **Nonconforming structure** shall mean a structure or part thereof which lawfully existed prior to the enactment of the requirements in this Ordinance, but is not in conformance with the zoning regulations covering building bulk, dimensions, height, area, yards, or floor area ratio of the district in which it is located.

- G. **Nonconforming use** shall mean a use of land or a building which lawfully existed prior to the enactment of the requirements of this Ordinance and which does not comply with the use restrictions of the zoning district in which it is located.
- H. **Nonconformity** shall mean any nonconforming aspect of a structure, land, or use as defined in this Ordinance.
- I. **Noncontributing building** shall mean a building, site, structure, or object which does not add to the historic architectural qualities, historic association, or cultural values of the area because it was not present during the period of significance or does not relate to the documented significance of the property, due to alterations, disturbances, additions, or other changes, or because it no longer possesses historic integrity nor is capable of yielding important information about the period.
- J. **Number** shall mean words used in the singular include the plural and the plural includes the singular.

2.2.15 Letter O:

- A. **Oath** shall mean any form of attestation by which a person signifies that he/she is bound in conscience to perform an act or to speak faithfully and truthfully, and includes an affirmation or declaration in cases where by law an affirmation may be substituted for an oath.
- B. **Obstruction, land** shall mean any building, structure, apparatus, mechanical equipment, fence, or other construction of a long term nature placed within a required yard, setback, or buffer area.
- C. **Obstruction, watercourse** shall mean any dam, wall, embankment, levee, dike, pile, abutment, soil material, bridge, conduit, culvert, building, wire, fence, refuse, fill, structure, or other matter in, along across, or projecting into any channel, watercourse, or flood plain which may impede, retard, or change the direction of the flow of water, either in itself or by catching debris carried by such water, or that is placed where the flow of water might carry the same downstream.
- D. **Occupant** shall mean tenant or person in actual possession.
- E. **Occupation, home.** See "Home occupation".
- F. **Office** shall mean a room or a suite of rooms or portion of a building used for the practice of a profession or for the conduct of a business which does not involve the sale of goods from the premises. If the goods or merchandise are sold for delivery on or from the premises, and constitutes a portion greater than twenty percent of the income

from the office, then the premises shall be considered to be a store rather than an office.

- G. **Office building** shall mean a building used primarily for offices which may include ancillary services for office workers such as a restaurant, coffee shop, newspaper, or candy stand.
- H. **Office conversion** shall mean a single-family residential structure occupied by or converted for an office use.
- I. **Office park** shall mean a development that contains a number of separate office buildings, supporting uses, and open space designed, planned, constructed and managed on an integrated and coordinated basis.
- J. **Officer, employee, department, board, commission or other agency** shall mean whenever any officer, employee, department, board, commission, or other agency, is referred to by title only, such reference shall be construed as if followed by the words "of the Village of Tolono, Illinois." Whenever, by the provisions of this Ordinance, any officer, employee, department, board, commission or other agency of the Village is assigned any duty or empowered to perform any act or duty, reference to such officer, employee, department, board, commission, or other agency shall mean and include such officer or any designee or authorized subordinate and shall also include the successor in function to such officer, employee, department, board, commission, or agency when such succession has been authorized or directed by the Village Board.
- K. **Off-premise sign** shall mean a business sign which is not included in the definition of "On-premise sign."
- L. **On-premise sign** shall mean a business sign which relates solely to a use or business conducted upon, or to a principal product, service or entertainment sold, provided, or offered upon the lot where the sign is located.
- M. **Open space.** See "Usable open space."
- N. **Open space, common** shall mean an area that meets the minimum standards of usable open space and that such area is devoted to recreational, park, or natural amenities for the enjoyment of all occupants of the development.
- O. **Open space, public** shall mean such uses as parks, cemeteries, playgrounds and other similar public uses.
- P. **Open space ratio** shall mean usable open space divided by the total gross floor area on the lot.

- Q. **Open space, usable.** See "Usable open space."
- R. **Operate** shall mean carry on, keep, conduct, maintain, manage, direct or superintend.
- S. **Ordinances** shall mean the ordinances of the Village and all amendments and supplements thereto.
- T. **Outdoor advertising sign structure** shall mean a standardized outdoor advertising display, including the permanent framework, structural members, support or support foundation, scaffolding and illumination, facing or panels, and message, which is intended and whose customary use is to mount periodically changing commercial displays and which is made generally available for display to the public by the owners on a short term basis. Such structures shall be limited to the three following standardized structures:
1. The thirty sheet poster panel or painted bulletin, whose outside dimensions, including trim, if any, but excluding the base, apron, supports, and other structural members, is approximately twelve feet by twenty-five feet, containing approximately three hundred square feet of total display area.
 2. The one hundred fifty square foot face, commonly painted rather than posted.
 3. The junior panel, whose outside dimensions, including trim, if any, but excluding the base, apron, supports, and other structural members, is approximately six feet by twelve feet, containing approximately seventy-two square feet of total face area.
- U. **Overlay district** shall mean a land use designation on the Zoning Map that modifies the applicable design, or development standards, or other regulations of this Ordinance otherwise applicable in some specific manner.
- V. **Owner of record** shall mean one who has complete dominion over particular property and who is the one in whom legal or equitable title rests; when applied to a building or land, owner means any part owner, joint owner, owner of a community or partnership interest, trust, estate, life tenant in common, or joint tenant, of the whole or part of such building or land.

2.2.16 Letter P:

- A. **Parcel.** See "Lot".
- B. **Parking lot** shall mean three or more parking spaces served by internal circulation lane(s).

- C. **Parking space** shall mean an area surfaced with concrete or asphaltic concrete area either within a structure or in the open, exclusive of driveways, or access drives, for the parking of a motor vehicle.
- D. **Parking stall.** See "Parking space".
- E. **Parkway** shall mean the area between the street pavement and front property line.
- F. **Pennant** shall mean any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
- G. **Performance standards** shall mean a set of criteria or limits relating to nuisance elements and other aspects of the use which must be met by uses within a particular zoning district.
- H. **Permitted use** shall mean a use of a structure or land which is included in the table of permitted uses in the district which the structure or land is situated.
- I. **Person** shall mean any individual, natural person, joint stock company, partnership, voluntary association, society, club, firm, company, corporation, business trust, organization, or any other group acting as a unit, or the manager, lessee, agent, servant, partner, member, director, officer or employee of any of them including an executor, administrator, trustee, receiver, or other representative appointed according to law.
- J. **Personal property** shall mean any money, goods, movable chattels, things in action, evidence of debt, all objects and rights which are capable of ownership, and every other species of property except real property.
- K. **Personal service** shall mean an establishment or place of business primarily engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty and barber shops, shoe repair shops, and tailor shops.
- L. **Petitioner.** See "Applicant".
- M. **Planned development** shall mean an area planned and developed in a unified manner in accordance with a project plan which meets the specifications of this Ordinance. The development shall be located on a single parcel or contiguous parcels which have been assembled in order to create a larger tract. The development shall be constructed and maintained by either a single owner or group of owners working together.

- N. **Planned development certificate** shall mean a written summary of a planned development's project description, drawings, deviations from usual development requirements, and other information as further described in this Ordinance and maintained as a permanent record within the Village's case file.
- O. **Planned regional shopping center regulations** shall mean a commercial development that meets the following minimum standards:
1. The buildings are erected on a single zoning lot of not less than forty acres.
 - 2.. Gross building floor area exceeds four hundred thousand square feet.
 3. At least ten separate business establishments operate within the buildings on the lot.
 4. At least two separate points of ingress and two separate points of egress for the entire center are provided.
 5. On-site parking is provided for not less than one thousand five hundred vehicles.
- P. **Planting season** shall mean the time of year when new plants, crops, and trees are planted with the best chance of survival generally falling between the first and last frost of the year.
- Q. **Plat** shall mean a map or layout showing the subdivision of land and indicating the location and boundaries of individual lots.
- R. **Plat Officer** shall mean the Chairperson of the Plan Commission of the Village of Tolono, Illinois.
- S. **Portable sign** shall mean a sign not permanently anchored or secured to either a building or the ground such as, but not limited to, A frame, inverted T shaped signs, and sign affixed to a chassis with wheels for towing.
- T. **Porte cochere** shall mean 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."
- U. **Preceding and following** shall mean next before and next after, respectively.
- V. **Principal building.** See "Structure, principal".
- W. **Principal use** shall mean the predominant use of land or a structure based upon the square footage of the use. In a residential district, multiple tenants of a similar or related nature in a single building constitute one principal use. Each tenant of the building must comply with the use regulations of this Ordinance. In a commercial

district, multiple tenants of a single building constitute individual principal uses. Each tenant of the building must comply with the use regulations of this Ordinance.

- X. **Prohibited use** shall mean a use that is not permitted in a zoning district.
- Y. **Projecting yard sign** shall mean a sign attached to and erected approximately perpendicular to the wall of a structure; including a sign erected at the corner of a structure projecting into an open space or yard, but not projecting into the right-of-way of any street, sidewalk, alley, or other public property.
- Z. **Property** shall mean a distinct parcel of real property which is assigned a separate tax parcel identification number by the Supervisor of Assessments of Champaign County.
- AA. **Property line.** See "Lot line".
- AB. **Proprietor** shall mean an owner of the property or premises including any person, firm, association, corporation, club, partnerships or other group acting as a unit whether acting by themselves or by a servant, agency, or employee.
- AC. **Public art** shall mean a fountain, sculpture, painting, mural, or similar object which is sited within a Planned Development as a focal point and is intended for the enjoyment of the general public.
- AD. **Public improvement** shall mean any improvement, facility, or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy or similar essential services.
- AE. **Public place** shall mean open space including any park, lake, stream, stadium, athletic field, playground, school yard, street, avenue, plaza, square, bus, train or railroad depot, station, terminal, cemetery, open space adjacent thereto, or any other place commonly open to the public, including but not limited to, areas on private property commonly open to the view by the public.
- AF. **Public promotion sign** shall mean a sign which promotes a general civic pride for the Village, or a portion of the Village, or a district of the Village, or a specific charitable or not-for-profit event or organization. No business name, business logo, device, symbol, or trademark shall be permitted on a public promotion sign.
- AG. **Public way** shall mean any street or sidewalk.

2.2.17 Letter Q:

Reserved.

2.2.18 Letter R:

- A. **Real estate sign** shall mean a sign advertising the sale, rental, or lease of the premises on which it is located, including a subdivision sign.
- B. **Real property** shall mean land, together with all things attached to the land so as to become a part thereof.
- C. **Recreational** shall mean organized leisure time activities, often requiring equipment and taking place at prescribed places, sites, or fields which may be either indoor or outdoor locations.
- D. **Recreational vehicle** shall include but not limited to every camping trailer, motor home, mini motor home, travel trailer, truck camper, van camper, or boat with a trailer used primarily for recreational purposes and not used commercially or owned by a commercial business.
- E. **Recycling center** shall mean a facility in which used material is separated and processed prior to shipment to others who will use those materials to manufacture products and is not a junkyard or automobile salvage yard.
- F. **Rehabilitation** shall mean the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic or architectural values.
- G. **Religious institution** shall mean a place of public assembly of over forty-nine seats in the principal assembly area, for the purposes of religious activities, and conducting worship services on a regular basis.
- H. **Relocate** shall mean any repositioning of a building on its site or moving it to another site.
- I. **Remodel** shall mean any improvement to the exterior or interior of a building which is not a structural alteration, new construction or enlargement.
- J. **Repair** shall mean any change that does not require a building permit, that is not construction, relocation or alteration.
- K. **Repair, major** shall mean the repair or replacement of non-bearing walls, fixtures, wiring, roof, or plumbing which exceeds twenty percent of the replacement value of the building or structure.

- L. **Repair, minor** shall mean the repair or replacement of non-bearing walls, fixtures, wiring, roof, or plumbing to an extent not exceeding twenty percent of the replacement value of the building or structure.
- M. **Residential care facility** shall mean residential care facility is housing for three or more individuals unrelated by blood, marriage, adoption, or guardianship which receive some form of nursing care, supervision, or assistance from employees at the facility. Nursing care and support staff are available twenty-four hours a day. Included are nursing homes, sheltered care facilities, intermediate care facility, and other similar uses.
- N. **Restaurant** shall mean an establishment in which food, refreshments, or beverages are offered for sale for consumption in the building or at tables on the lot in which the establishment is located.
- O. **Restaurant, drive-through** shall mean a building, or portion thereof, where food and/or beverages are sold in a form ready for consumption and where the facility is designed to provide service directly to the passengers of the motor vehicle. The facility may also include seating, take-out service, and double drive-throughs.
- P. **Retail, food** shall mean retail food establishments are any establishments selling food or beverage for consumption off premises either immediately or with further preparation. Such establishments may include, but not be limited to, supermarkets, grocery stores, bakeries, candy stores, butchers, delicatessens, convenience stores, and similar establishments.
- Q. **Retail, general merchandise** shall mean retail and general merchandise establishments are retail operations that carry an assortment of merchandise from all the other categories. Such establishments may include, but are not limited to, department stores, discount stores, farm stores, and similar operations.
- R. **Retail, household** shall mean retail, household, establishments are retail operations that sell goods for furnishing or improving housing units. These establishments may include, but are not limited to, furniture stores, home improvement centers, electronic stores, appliance stores, and similar operations.
- S. **Retail sales** shall mean the direct sale of goods or merchandise to the ultimate consumer of the goods or merchandise and subject to the State Retailers Occupation Tax.

- T. **Retail, specialty** shall mean retail operations that specialize in one type or line of merchandise. Such stores may include, but are not limited to, apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores, and similar establishments.
- U. **Right-of-way (R.O.W.)** shall mean the entire dedicated tract or strip of land that is legally used by the public for circulation and service.
- V. **Roof overhang** shall mean a roof like structure projecting from the wall of the principal structure and which is not part of the roof of the structure.
- W. **Roof sign or roof outdoor advertising sign structure** shall mean a sign or outdoor advertising sign structure erected upon the roof of any structure.
- X. **Room, habitable** shall mean a room occupied or designed to be occupied by one or more persons for living, sleeping, eating, or cooking, including kitchens serving a dwelling unit, but not including bathrooms, toilet compartments, laundries, pantries, cellars, attics for storage, and other similarly approved spaces that are not used frequently or for extended periods.
- Y. **Rowhouse.** See "Dwelling, attached".

2.2.19 Letter S:

- A. **School, business or trade** shall mean an education facility primarily teaching usable skills that prepare students for jobs in a trade.
- B. **School, K through 12** shall mean any public or private elementary or high school, but shall not include day care/nursery school or day/night care home except as accessory to such elementary or high school operations.
- C. **Screening** shall mean a method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.
- D. **Searchlight, sign** shall mean for the purposes of this Section, searchlights shall be considered signs which are used to announce, direct attention to, or advertise businesses.
- E. **Service.** See definitions for "commercial," "personal," and "fitness and beauty services".

- F. **Service dependent population** shall mean those persons, who by reason of mental or physical disability require supervision in a quasi-parental relationship, but do not require medical or nursing care on-site. A service dependent population shall not include persons for whom such services are a requirement of a sentence upon conviction of a criminal offense or whose need for such services arises during or immediately following a sentence of incarceration for a criminal offense.
- G. **Service station.** See "Automobile service station".
- H. **Setback** shall mean the distance between the street right-of-way and the front line of a building, parking lot, accessory building or other structure. The setback to the structure shall be measured from the outermost projection thereof, excluding uncovered steps.
- I. **Setback line** shall mean the line that is the required minimum distance from the street right-of-way or any other lot line that establishes the area within which the regulated structure must be erected or placed.
- J. **Shall** shall mean the word "shall" which is mandatory.
- K. **Shopping center** shall mean a group of commercial establishments planned, constructed, and managed as a total entity with shared parking for customer and employee parking provided on-site. Provisions for goods delivery is generally separated from customer access.
- L. **Sidewalk** shall mean that portion of a street between the curb line and the adjacent property along the margin of a street or other highway, designed, constructed, and intended for the use of pedestrians to the exclusion of vehicles.
- M. **Sign** shall mean a sign shall include any writing including a word or numeral; pictorial representation including illustration; emblem including device, symbol, or trademark; flag including banner or pennant; or any figure of similar character which is used to announce, direct attention to, or advertise, and which is a structure or part thereof, or is attached to, painted on, or in any manner represented on a building or other structure. This definition shall not include the following:
1. Outdoor advertising sign structure or signs displayed thereon.
 2. Writings, representations, or other figures of similar character within a building unless it is a flashing sign or signs with lights.
 3. Nonpictorial color treatments on the surface of a building which do not include writing or other direct forms of advertising.

- N. **Sign triangle** shall mean an area at the street side of a corner lot which is measured by proceeding from the point of intersection of right-of-way property lines, along the lines for a distance of fifty feet, and connecting these points forming a triangle at the corner of the lot.
- O. **Signature and subscription** shall mean the name of a person, mark or symbol appended by such person to a writing with intent to authenticate the instrument as one made or put into effect by such person.
- P. **Single-family dwelling.** See "dwelling, single-family".
- Q. **Single room occupancy units (SRO)** shall mean a residential unit, with only one room, occupied by only one person, with lockable exterior doors that are accessible from outside the unit. Kitchen and bathroom facilities may or may not be communal.
- R. **Site** shall mean any plot or parcel of land or combination of contiguous lots or parcels of land.
- S. **Site area, gross** shall mean the total area of a site with no exclusions for streets, easements, or other areas.
- T. **Site area, net** shall mean the total area of a site excluding streets, easements, or water areas.
- U. **Site plan** shall mean a scaled drawing indicating the generalized physical conditions and proposed improvements of a Planned Development.
- V. **Snack bar** shall mean an establishment similar to a restaurant, but is limited to, the extent that no food shall be cooked on the premises other than heating by microwave oven, no drive-through windows exist on the premises, and seating for customers does not exceed twenty-five.
- W. **Solid waste** shall mean unwanted or discarded material, including garbage with insufficient liquid content to be free flowing.
- X. **Space, nonhabitable** shall mean space used as a pantry, laundry room, closet, bathroom, toilet room, restroom, dressing room, locker room, storage room, utility room, heater room, or boiler room, and other spaces used only for service and maintenance of a building and those spaces used for access and vertical travel between stories.

- Y. Space, occupied** shall mean space in a building other than a habitable room wherein people normally work, assemble, or remain for a period of time.
- Z. Special event sign** shall mean a sign advertising or announcing a special community-wide event or activity conducted by or sponsored by or on behalf of a unit of local government, a charitable organization or a not-for-profit corporation. A special community-wide event or activity is one which occurs not more than twice in any twelve month period and which seeks to attract donations, participants, or customers throughout the Village of Tolono.
- AA. State** shall mean the State of Illinois.
- AB. Storage** shall mean a location where equipment, materials, or vehicles are stored for an uninterrupted period exceeding sixty days without being relocated off-site to another zoning lot.
- AC. Stormwater detention** shall mean any storm drainage technique that retards or detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.
- AD. Stormwater management** shall mean any stormwater management technique, apparatus, or facility that controls or manages the path, storage, or rate of release of stormwater runoff. Such facilities may include storm sewers, retention or detention basins, drainage channels, drainage swales, inlet or outlet structures, or other similar facilities.
- AE. Story** shall mean that part of a building included between any floor and the floor or roof immediately above.
- AF. Story, half** shall mean the space within or under a sloping roof, the floor area of which does not exceed two-thirds of the floor area of the story immediately below it, and which does not contain an independent apartment.
- AG. Street** shall mean all streets, highways, avenues, boulevards, parkways, roads, lanes, viaducts, bridges and the approaches thereto, alleys, courts, places, squares, curbs, sidewalks, recreation and park lands used for vehicular traffic, or other public ways or thoroughfares in this Village, over which it has jurisdiction, which have been or may hereafter be dedicated and open to public use and has been accepted for such use by the Village, or such other public property so designated in any law of this State.
- AH. Street, arterial** shall mean any street (or highway) which are generally wide streets, with straight alignments, which serve high volumes of traffic.

- AI. **Street, collector** shall mean any street designed to collect and distribute traffic between local streets or areas and arterial streets.
- AJ. **Street, local** shall mean any street designed to provide access to the abutting properties.
- AK. **Street, private.** See "Internal circulation system."
- AL. **Street, public** shall mean a street whose ownership or maintenance is under governmental jurisdiction.
- AM. **Street, residential** shall mean a local street where the primary land use of lots with frontage on both sides of the street within the block is residential.
- AN. **Structure** shall mean anything constructed or made, the use of which requires permanent location in or on the ground or attachment to something having a permanent location in or on the ground.
- AO. **Structure, accessory** shall mean a subordinate structure on the same lot as the principal or main building or use occupied or devoted to an incidental use to the principal use.
- AP. **Structure, principal** shall mean a structure in which is conducted the principal use of the lot on which it is located.
- AQ. **Surface area, sign or outdoor advertising sign structure** shall mean the surface area of a sign or surface display area of an outdoor advertising sign structure shall be the area of the smallest convex geometric figure encompassing the maximum projected area of the volume on a flat plane which completely encloses the extreme limits of the surface display area of writing, representation, emblem, or other figure of similar character or potential display area of an outdoor advertising structure, together with any material or color forming an integral part of the display or used to differentiate such sign or outdoor advertising sign structure from the background against which it is placed. Such measurement shall exclude the necessary supports or uprights on which the sign is placed, unless the supports or uprights constitute part of the display because of the predominant overall concept of the sign.
- AR. **Swim club** shall mean a private club with swimming facilities available for the exclusive use of their members and guests. Such facilities may include ancillary facilities such as a snack bar or tot lot.

2.2.20 Letter T:

- A. **Temporary sign** shall mean a sign not permanently affixed to a building or in the ground which is intended to be displayed for not more than a thirty day period and that is not actually displayed for any longer than thirty days.
- B. **Temporary use** shall mean a use established for a limited period of time with the intent to discontinue such use upon the expiration of such time. Such uses are subject to the time restrictions contained in this Ordinance. No temporary use shall involve the construction or alteration of any permanent structure.
- C. **Tenant** shall mean any person occupying the premises, building, or land of another in subordination to such other person's title and with the other person's express or implied assent, whether the tenant occupies the whole or a part of those premises, building or land, whether alone or with others.
- D. **Tense** shall mean words used in the past or present tense include the future, past and present where applicable unless the context clearly indicates otherwise.
- E. **Theater marquee** shall mean a canopy with changeable letters which is attached to a building that currently functions or has historically functioned as a theater.
- F. **Time** shall mean an hour of the day according to the official time of the Village.
- G. **Time of performance** shall mean the time within which an act is to be done as provided in any section or any order issued pursuant to any section, when expressed in days, and is computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or a legal holiday, that day shall not be counted in the computation. When the time is expressed in hours, the whole of Saturday and Sunday or a legal holiday from midnight to midnight is excluded.
- H. **Townhouse.** See "Dwelling, attached".
- I. **Transition** shall mean an area which acts as a buffer between two land uses of different intensity.
- J. **Treasurer** shall mean Village Treasurer.
- K. **Truck stop** shall mean a commercial use where gasoline, kerosene, or any other motor fuel, lubricating oil or grease for operating motor vehicles is offered for sale to the public, and deliveries are made directly to motor vehicles, including greasing and oiling on the premises, and including minor repairs. The use also includes facilities for the overnight parking of semi-trailers.

- L. **Truck terminal** shall mean the premises which is used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point and which is designed to accommodate the simultaneous loading or unloading of five or more trucks.

2.2.21 Letter U:

- A. **Usable open space** shall mean that required portion of a lot at ground level, unoccupied by principal or accessory buildings, or mechanical equipment, and available to all occupants of the building. The usable open space shall be unobstructed to the sky and shall not be devoted to service driveways, off-street parking spaces, or loading berths. Such space shall be usable for greenery, drying beds, recreational space, and other leisure activities normally carried on outdoors. Balconies may be considered as usable open space if they meet the requirements of Article Four. Enclosed space devoted exclusively to recreational use as indicated in the definition of "Floor area" shall not be counted as a portion of the usable open space.
- B. **Utilitarian areas** shall mean utility areas accessory to a building, including, but not limited to, loading docks, mechanical equipment, trash enclosures, and storage yards for construction materials, or other equipment or materials.
- C. **Utility stations** shall mean utility stations include transmission and distribution facilities, or pipelines, including telephone, cable, and water supply facilities, pump stations, booster pumps, and any other appurtenances that require a structure. Specifically excluded are transformers, and other appurtenances that do not require a structure or connections maintained by the individual customer.

2.2.22 Letter V:

- A. **Vacant building** shall mean the cessation of all activity in a building. Said building shall not be considered vacant if the lessee of any building shall, at any time before the expiration of said lease, cease to occupy or use said building and the owner of said building is not entitled legally to regain possession of said building.
- B. **Vacant land** shall mean that there is no building or structure, or vehicular surface areas within two hundred feet, or any outstanding approved Village permit or subdivision plat for the construction of the same, from any common property line of the developing property and the adjoining property. Public parks or common open space shall not be considered as vacant land.
- C. **Value** shall mean the full, fair, cash market value.

- D. **Vegetation** shall mean lawns, trees, shrubs, ground cover, annual or perennial flowers, or other natural growing plants.
- E. **Vexillum flag** shall mean a vertical flag, fixed at the top and bottom to an anchored pole to minimize movement with wind currents and does not display a sign.
- F. **Vexillum sign** shall mean a vertical flag, mounted over the public right-of-way, fixed at top and bottom to an anchored pole to minimize movement with wind currents.
- G. **Village** shall mean the Village of Tolono, in the County of Champaign and State of Illinois.
- H. **Village Attorney** shall mean the Village Attorney or designee.
- I. **Village Board** shall mean the Village Board of Trustees.
- J. **Village Engineer** shall mean the Village Engineer or designee.
- K. **Village limits or in the Village** shall mean within the Village and includes not only the corporate limits of the Village, but also any property which it owns or which is under its jurisdiction.
- L. **Violation** shall mean no person shall construct, alter, use, maintain, or allow any building or property to be used or maintained in violation of the provisions of this Ordinance. In addition to any other actions which may constitute a violation, the following constitutes violations of this Ordinance and shall be strict liability offenses:
1. The use, arrangement, or construction of a building, structure, or improvement to land does not conform with that authorized by approved plans.
 2. The improvement is constructed or a use is operating without obtaining the appropriate permits or zoning approval.
 3. The use of the building or land is nonconforming, unless such use has been established.
 4. The use of the building or land which is a conforming use, but does not meet the applicable district performance standards or other requirements of this Ordinance.
 5. The use of the building or land which does not comply with conditions or standards enumerated in a provisional, or special use approval.
 6. The sale, conveyance, or use of any portion of a lot is sold, conveyed, or used which reduces the following:
 - a. The lot area below the minimum area requirements of this Ordinance.

- b. The lot area to the extent that the floor area ratio is greater than the maximum permitted by this Ordinance.
 - c. The usable open space areas below the open space ratio and usable open space requirements of this Ordinance.
 - d. The depth or width of a yard to less than the minimum depth or width required by this Ordinance.
 - e. The number and size of parking spaces on the lot is reduced below the minimum number of such spaces required by this Ordinance.
 - F. The subdivision of land was not done in accordance with the Village's Ordinance.
- N. **Visibility Triangle** shall also be known as the site distance triangle. The area at an intersection that should remain unobstructed in order for motorists to have a clear vision of oncoming traffic.

2.2.23 Letter W:

- A. **Wall sign or outdoor advertising sign structure** shall mean a sign or outdoor advertising sign structure attached to, erected against or painted upon the wall of any building which the exposed face thereof in a plane parallel to the plane of such wall, and which sign is mounted at a distance measured perpendicular to such wall, no greater than eighteen inches. A wall sign shall include signs suspended from the ceiling of a marquee, canopy or vestibule where such sign does not project into the street right-of-way or a freestanding sign or freestanding outdoor advertising sign structure any part of which is parallel to and any part of which is within twenty-four inches of a wall.
- B. **Warehouse** shall mean a building used for the storage of goods for compensation or the storage of goods which will be subsequently transported to another location for sale consumption.
- C. **Waterbody** shall mean any natural or artificial collection of surface water, generally intended or functioning as a permanent feature.
- D. **Watercourse** shall mean any drain, ditch, and stream, flowing in a definite direction or course in a bed with banks.
- E. **Week** shall mean seven days.
- F. **Wholesale** shall mean an operation at which goods are sold for delivery on or from the premises to a person other than the ultimate consumer. If more than twenty percent of the annual dollar volume of the sales made from an establishment is subject to the State Retailers Occupation Tax, the store shall be considered a retail operation.

- G. **Wholesale or wholesale dealer** shall mean the purchase (or purchaser) for the purpose of resale of things (goods, merchandise, articles, and others) in quantity for the purpose of resale, as distinguished from retail or retail dealer who sells in smaller quantities direct to the consumer.
- H. **Words and phrases** shall mean to be construed according to the common and approved usage of the language, but technical words and phrases and others that have acquired a peculiar and appropriate meaning in the law, shall be construed and understood according to such meaning.
- I. **Writing and written** shall mean any representation of words, letters or figures, whether by printing or otherwise, capable of comprehension by ordinary visual means.

2.2.24 Letter X:

Reserved.

2.2.25 Letter Y:

- A. **Yard** shall mean an open space, other than a court, that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as otherwise specified in this Ordinance.
- B. **Yard, front** shall mean a yard extending across the full width of the lot and measured between the front lot line and the closest point of the building to the front lot line.
- C. **Yard, rear** shall mean a yard extending across the full width of the lot and measured between the rear lot and the closest point of the building to the rear lot line.
- D. **Yard, side.** A yard extending from the front yard to the rear yard and measured between the side lot line and closest point of the building to the side lot line.
- E. **Year** shall mean a calendar year.

2.2.26 Letter Z:

- A. **Zero lot line** shall mean the location of a building on a lot in such a manner that one or more of the building sides rests directly on a lot line.
- B. **Zero lot line development** shall mean a development of single-family detached structures where the location of each building on a lot is situated in such a manner that one or more of the buildings is located without any setback from the lot line.

- C. **Zoning action** shall mean any action requiring application to the Zoning Administrator, Plan Commission, or Zoning Board of Appeals, for review and approval. Zoning actions include, but are not limited to, map amendments, text amendments, appeals, variations, provisional use approval, special use approval, planned development approval, landmark designation, conservation district designation or historic district designation.
- D. **Zoning Administrator** shall mean the Zoning Administrator or any official Village employee appointed by the President of the Board of Trustees with the responsibility for reviewing and administering the regulations of this Ordinance.

END OF ARTICLE TWO.