

ARTICLE XIV. DEFINITIONS

Sec. 110-600. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building or use.

- (1) The term "accessory building or use" means a subordinate building or use which is located on the same lot on which the main building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such building or main use, when permitted by district regulations.
- (2) An "accessory use" includes, but is not limited to, the following:
 - a. A child's playhouse, garden house and private greenhouse;
 - b. A garage, shed or building for domestic storage;
 - c. Storage of merchandise normally carried in stock on the same lot with any retail service or business use, unless such storage is excluded by the district regulations;
 - d. Storage of goods used in or produced by manufacturing activities on the same lot or parcel of ground with such activities, unless such storage is excluded by the district regulations;
 - e. Off-street motor vehicle parking areas, and loading and unloading facilities;
 - f. Signs as permitted and regulated in each district incorporated in this chapter;
 - g. Fences and walls;
 - h. Satellite antenna and/or a satellite receiving station;
 - i. Decks whether attached or not to the principal building.

Acreage means any tract or parcel of land which has not been subdivided and platted.

Adult arcade means a place to which the public is permitted or invited wherein coin-operated, slug-operated, electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult bookstore means an establishment which advertises, sells, rents, or offers for sale or rent adult material, which is not open to the public generally, and which excludes any minor by reason of age. The provisions of this subsection are not intended to apply if the presumption is rebutted by evidence that establishes that at the establishment:

- (1) Admission is not restricted to adults only; and
- (2) All adult material is accessible only by employees; and
- (3) The gross income from the sale and/or rental of adult material comprises less than ten percent of the gross income from the sale and rental of the goods or services at the establishment, and the individual items of adult material offered for sale and/or rent comprise less than 25 percent of the total individual new items publicly displayed as stock in trade in any of the following categories: books, magazines,

periodicals, or other printed matter, or photographs, films, motion pictures, videotapes, slides, or other visual representations, or recordings or other audio matter, or less than 25 percent of the individual used items publicly displayed at the establishment as stock in trade in the same categories set out above.

Adult club means any establishment wherein admission is limited to members of the establishment and their guests, and facilities are maintained and used for the engagement of members and guests of the club in specified sexual activities or the exhibition of specified anatomical areas, or for the exhibition to members and guests of the club of specified sexual activities or specified anatomical areas.

Adult material means any one or more of the following, regardless of whether it is new or used:

- (1) Books, magazines, periodicals, or other printed matter, paintings, drawings or other publications or graphic media, or photographs, films, motion pictures, video cassettes or disks, slides, or other visual representations, or recordings, or other audio matter, which have as their primary or dominant theme matter depicting, illustrating, describing, or relating to a specified sexual activity or specified anatomical area; or
- (2) Instruments, novelties, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

Adult photographic or modeling studios means any business establishment which offers or advertises as its primary business stock in trade the use of its premises for the purpose of photographing or exhibiting specified sexual activities or specified anatomical areas or the modeling of apparel that exhibits specified anatomical areas.

Adult theater means an enclosed building, or an enclosed space within a building, or an open-air area used for presenting either filmed or live plays, dances, or other performances, either by individuals or groups, distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein. An establishment which has an adult arcade is considered to be an adult theater.

Agricultural use includes farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Alley means a public way, not more than 30 feet wide, which affords only a secondary means of access to abutting property.

Alteration and *alter* mean to change size, shape, materials or painting. The change of sign copy shall be considered alteration.

Antenna means a device in the form of a metal rod, wire panel or dish for transmitting or receiving radio, television, telephone or other telecommunication signals including any supporting tower, pole, mast or building to which it is affixed.

Antenna height means the height of an antenna or satellite dish shall be measured vertically from the highest point of the signal receiving/transmitting apparatus, when positioned for operation, to the bottom of the base, which supports the antenna.

Apartment means a room or suite of rooms in a multifamily structure, which is arranged, designed, used or intended to be used as a single housekeeping unit. Individual bathrooms and complete kitchen facilities, permanently installed, must always be included for each apartment.

Automobile repair, major means engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and overall painting of vehicles.

Automobile repair, minor means incidental repairs, replacement of parts, and motor service of automobiles, but not including any operation specified under the term "automobile repair, major."

Automobile service station means a place where gasoline stored only in underground tanks, kerosene, and lubricating oil or grease for operation of automobiles are offered for sale directly to the public on the premises, including minor accessories and services for automobiles, and including automobile repairs, and washing of automobiles. When the dispensing, sale or offering for sale of motor fuels or oils is incidental to the conduct of a public garage, the premises shall be classified as a public garage, or auto wash.

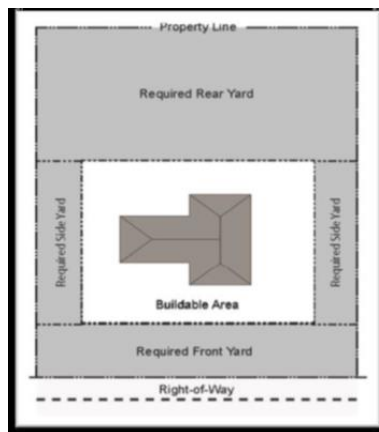
Auto wrecking means any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof; and includes any farm vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition.

Basement means a story partly or wholly underground where more than one-half of its height is above established curb level or above the average level of the adjoining ground where curb level has not been established.

Billboard means any structure or portion thereof upon which signs or advertisements are used as an outdoor display. This definition does not include any bulletin board used to display official court or public notices, or signs advertising the sale or lease of the premises on which the sign is located.

Boardinghouse means a building, other than a hotel or restaurant, where meals and lodging are provided for compensation for four or more persons who are not members of the keeper's family.

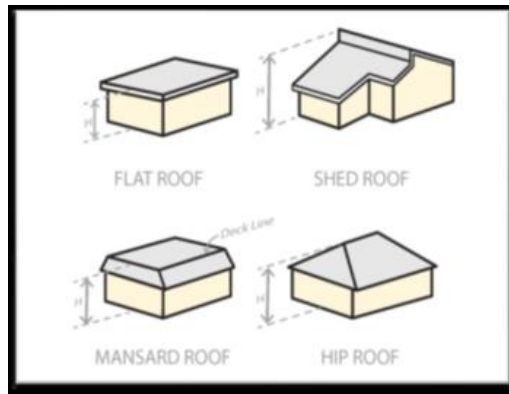
Block means a tract of land bounded by streets or, in lieu of a street, by public parks, cemeteries, railroad rights-of-way or a corporate boundary line of the city.



Buildable area means the space remaining after the minimum open space requirements of this chapter have been complied with.

Building means any structure with substantial walls and roof, securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for shelter, enclosure or protection of persons, animals or chattels. Any structure with interior areas not normally accessible for human use, such as gasholders, oil tanks, water tanks, grain elevators, coalbunkers, oil cracking towers and other similar structures, are not considered as buildings.

Building code means the building code as adopted by the city.



Building height means the vertical distance from the grade to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. When a building faces on more than one street, the height shall be measured from the average of the grades at the center of each street front.

Bus lot means any lot or land area used for the storage or layover of passenger buses or motor coaches used in public transportation.

Carport means a structure attached to or made a part of the main structure, and which is open to the weather on at least two sides, intended for the use of sheltering not more than two motor-driven passenger vehicles.

Cartage, local means pickup and delivery of parcels, packages and freight by motor truck within the city area.

Cellar means a story, partly or wholly underground, where more than one-half of its height is below the established curb level or above the average level of the adjoining ground where curb level has not been established.

Collocation means the placement of two or more antenna systems or platforms by separate FCC license holders on the same structure, building, water tank, or utility pole.

Copy means any message or thought reduced to printed or visible form, including words, numbers, shapes, trademarks, names, symbols and pictures.

Court means the vertical distance from the lowest level of the court to the mean height of the top of the enclosing walls.

Curb level means the level of the established curb in front of the building, measured at the center of such front. Where a building faces on more than one street, the curb level shall be the average of the levels of the curbs at the center of the front on each street. Where no curb elevation has been established, the mean level of the land immediately adjacent to the building shall be considered the curb level.

Day care home means family home which receives more than three and up to a maximum of 12 children for less than 24 hours per day, including the family's adopted or natural children and all other persons under the age of 12 years, excluding facilities which received only children from a single household, that is licensed by the state under 225 ILCS 10/1 et seq., the Child Care Act of 1969.

Day nursery and *nursery school* mean premises operated for the care and education of young children below the age of six.

Data center means a physical facility which primary purpose is to store, process, and distribute data and applications. To ensure adequate infrastructure, data centers must be located within one-half (1/2) mile of an electrical substation, or any location approved by the City Manager.

Density means number of living units per acre allowable under the schedule of district regulations.

Detached structure means a structure surrounded by an open space on the same lot.

Dwelling means a building or portion thereof, but not an automobile house trailer, designed exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units and multiple-family dwelling units, but not including hotels, boardinghouses or lodginghouses.

Dwelling group means two or more one-family or multiple-family dwellings located on one zoning lot, but not including tourist courts, lodginghouses or boardinghouses.

Dwelling, multiple family means a building, or portion thereof, designed for occupancy by three or more families living independently of each other.

Dwelling, one-family means a building designed exclusively for use and occupancy by one family, entirely separated by space from any other building.

Dwelling, row (party-wall) means a row of two to eight attached, one-family, party-wall dwellings, not more than two and one-half stories in height.

Dwelling, two-family means a building designed exclusively for occupancy by two families.

Dwelling unit means one or more rooms in a residential structure, designed for living and sleeping purposes and limited in occupancy to one family. Individual bathrooms and complete kitchen facilities, permanently installed, must always be included for each dwelling unit.

Efficiency unit means a dwelling unit consisting of one principal room for living and sleeping purposes, exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room, providing such dining alcove does not exceed 125 square feet in area.

Enforcement official means the building official of the city, or his/her representative.

Erect means to build, construct, attach, hang, place, suspend or affix.

Family means one or more persons related by blood, marriage or adoption, or a group of not more than five persons (excluding servants) who need not be related by blood, marriage or adoption, living together and maintaining a common household, but not including sororities, fraternities, or other similar organizations.

Fixed canopy and *fixed awning* mean any hood, canopy or awning made of cloth, metal or wood, attached to a building, and/or carried by a frame supported by the ground or sidewalk.

Floor area means area in square feet of all floors in all buildings, including elevators and stairways, measured from outside of exterior wall to outside of exterior wall and multiplied by the number of floors. The term "floor area" includes basements which are used in the primary function of the building.

Floor area ratio means the square footage of floor area on all floors for each square foot of lot area.

Frontage.

- (1) When referring to a building, the term "frontage" means the side of a building oriented toward an open space containing the entrance used by general public.
- (2) When referring to land, the term "frontage" means the length which the land shares a common border with a public highway or street.

Garage, bus means any building used or intended to be used for the storage of three or more passenger motorbuses, or motor coaches used in public transportation, including school buses.

Garage, bus or truck means a building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors and commercial vehicles.

Garage, private means a detached accessory building or portion of the main building designed, arranged, used or intended to be used for the storage of passenger automobiles of the occupants of the premises.

Garage, public means a building, other than a private garage, used for the care, incidental servicing and sale of automobile supplies, or where motor vehicles are parked or stored for remuneration, hire or sale within the structure, but not including trucks, tractors, truck trailers and commercial vehicles.

Group day care home means a family home which receives more than three and up to a maximum of 16 children for less than 24 hours per day, including the family's adopted or natural children and all other persons under the age of 12 years, that is licensed by the state under 225 ILCS 10/1 et seq., the Child Care Act of 1969.

Highly toxic substance means a chemical or substance that is listed as an extremely hazardous substance by the Environmental Protection Agency (EPA), as may be amended from time to time.

Holiday decorations means signs in the nature of decorations, customarily associated with any national, local or religious holiday. Such decorations shall be displayed for not more than 60 days in any calendar year and shall not be used for advertising purposes.

Home occupation means a gainful occupation conducted by members of the family only within their place of residence.

Hospital and *sanatorium* mean an institution open to the public in which or injured persons are given medical or surgical care; or for the care of contagious diseases or incurable patients.

Hotel, apartment means a building containing dwelling units or individual guestrooms, the majority of which are not for transients. Maid and janitor services are provided, but kitchen facilities are not necessarily included.

Hotel, transient means a building in which 50 percent or more of the rooms or suites are reserved to provide living and sleeping accommodations for transient guests who are lodged with or without meals, and in which no provisions are made for cooking in any individual room or suite.

Householder means the occupant of a dwelling unit, who is either the owner or lessee thereof.

Junkyard means open area where waste, scrap, iron, paper, rags or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, but excluding similar uses taking place entirely within a completely enclosed building.

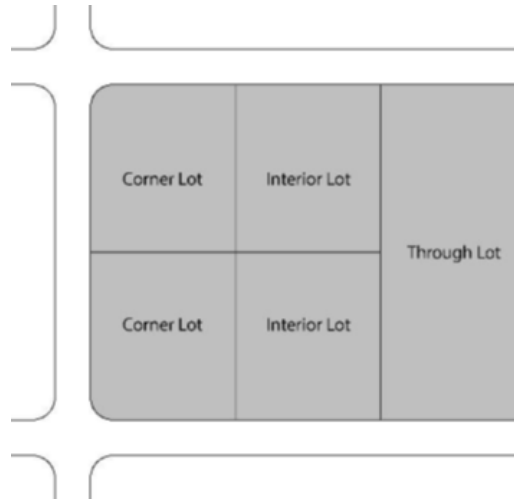
Kennel, commercial means any lot or premises on which two or more dogs, at least four months of age, are kept, boarded for compensation, or kept or bred for sale.

Laboratory, commercial means a place devoted to experimental study, such as testing and analyzing. Manufacturing, assembly or packaging of products is not to be permitted within this definition.

Living space ratio means the square footage of open space, less the space used for vehicular movement, that exists for each square foot of building floor area.

Loading space and *unloading space (off-street)* means a hard-surfaced area other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers, to avoid undue interference with the public use of streets and alleys. Such space shall not be less than ten feet in width, 45 feet in length, and 14 feet in height, exclusive of access aisles and maneuvering space.

Lodginghouse means a building with not more than five guestrooms where lodging is provided for compensation pursuant to previous arrangements, but not open to the public or transients.



Lot, corner means a parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.

Lot depth means the horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Lot frontage means that boundary of a lot along a public street; for a corner lot, the owner may elect either street line as the front lot line provided, however, that the yards parallel to a duplex party wall shall be side yards as defined in this section.

Lot, interior means a lot other than a corner lot.

Lot line, rear means the lot line most nearly parallel to the front line. Other lot lines are side lot lines.

Lot, nonconforming means any lot containing less than the required square footage, or other requirements as specified in this chapter.

Lot, through means a lot having frontage on two parallel or approximately parallel streets, and which is not a corner lot.

Lot width means the horizontal distance between the side lot lines measured at right angles to the lot depth at the setback line.

Lot, zoning means a plot of ground, made up of one or more parcels, which is or may be occupied by a building, including the open spaces required by this chapter.

Mobile home means a structure designed for permanent habitation and so constructed as to permit its transport on wheels, temporarily or permanently attached to its frame, from the place of its construction to the location, or subsequent location, at which it is intended to be a permanent home and designed to permit the occupancy thereof as a dwelling place for one or more persons.

Motor freight terminal means a building in which freight brought to such building by motor truck is assembled and sorted for routing in intrastate and interstate shipment by motor truck.

Motor truck repair shop means a premises where motor trucks, trailers, truck trailers and industrial and commercial vehicles, or their bodies, are overhauled, built, rebuilt or repaired.

Nameplate means a sign which is affixed to the side of a building and contains the name, occupation, hour of business, address and/or telephone number of the occupant.

Nonconforming use means any building, structure or land lawfully occupied by a use or lawfully established at the time of the passage of the ordinance from which this chapter is derived or amendments thereto, which does not conform after the passage of this chapter or amendments thereto with the use regulations of this chapter.

Nonconforming sign means any sign that does not conform to this chapter but was in conformance with provisions of whichever ordinance existed at the time it was erected.

Nursing home and rest home mean a private home for the care of children or the aged or infirmed, or a place of rest for those suffering bodily disorders, but not including facilities for the treatment of sickness or injuries or for surgical care.

Open space means total area in square feet of all uncovered open space of the land area within the site to be developed, plus one-half of covered open spaces such as park shelters and carports.

Open space ratio means the square footage of site "open space" provided for each foot of building floor area.

Parcel delivery station means a building in which commodities, sold at retail within the city area and packaged by the retailer, are assembled, sold and routed for delivery to retail customers located within the city area.

Parking area means an open, hard-surfaced area of land, other than a street of public way, the principal use of which is for the storage (parking) of passenger automobiles or commercial vehicles under three-ton capacity by the public, whether for compensation or not, or as an accommodation to clients or customers.

Parking area, private means an open, hard-surfaced area of land, other than a street or public way, designed, arranged and made available for the storage or private passenger automobiles only of occupants of the building or buildings for which the parking area is developed and is accessory.

Parking area, public means an open, hard-surfaced area, other than a street or public way, intended to be used for the storage of passenger automobiles and commercial vehicles under three-ton capacity, and available to the public, whether for compensation, free, or as an accommodation to clients or customers.

Parking space, automobile means space within a parking area or a building of not less than 180 square feet (nine feet by 20 feet minimum) exclusive of access drives or aisles, ramps, columns or office and work areas for the storage of one passenger automobile or commercial vehicle under three-ton capacity.

Pawnshop means any place of business that is regulated by the Illinois Pawnbroker Regulation Act which defines a pawnbroker as every individual or business entity which lends money on the deposit or pledge of physically delivered personal property, other than property the ownership of which is subject to a legal dispute, securities, printed evidence of indebtedness or printed evidence of ownership of the personal property, or who deals in the purchase of such property on the condition of selling the property back again at a stipulated price, shall be held and is hereby declared and defined to be a pawnbroker. The business of a pawnbroker does not include the lending of money on deposit or pledge of title to property. Any change in the definition in the Illinois Pawnbrokers Act will constitute a change in the definition of a pawnshop.

Pennant means 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.

Person means any natural person, partnership, trust, corporation or association. The term "person," as applied to partnerships or associations, means the partners or members thereof, and as applied to trusts or corporations, shall mean the trustees or officers thereof.

Philanthropic institution means a nonprofit charitable institution devoted to the housing, training and care of children, or of aged, indigent, handicapped or underprivileged persons, but not including the following:

- (1) Office buildings, except as accessory to and located on the same lot with an institutional activity, as listed above;

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- (2) Hospitals, clinics or sanitariums;
 - (3) Correctional institutions;
 - (4) Institutions or homes for the insane or those of unsound mind;
 - (5) Lodginghouse or dormitories providing temporary quarters for transient unemployed persons;
 - (6) Organizations devoted to collecting and salvaging new or used materials; or
 - (7) Organizations devoted principally to distributing food, clothing or supplies on a charitable basis.

Porch means a roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

Principal building means the building on a lot in which is conducted the principal use as permitted on such lot by the regulations of the district in which it is located.

Public utility means any person, firm, corporation or municipal department, duly authorized to furnish under municipal regulation to the public, electricity, gas, steam, telephone, telegraph, transportation or water.

Publicly owned property means property in any district owned, leased, or otherwise controlled by a governmental entity.

Railroad hub facility means intermodal rail yards and facilities; marshalling yards; transload facilities; automotive loading, unloading and parking; railroad storage, switching or classification yards; locomotive, railroad car, crane, container and/or intermodal equipment repair, washing, fueling and cleaning facilities; off-street public and private parking (including trucks and truck trailers); offices and office buildings; indoor and/or outdoor storage, including without limitation trailer, material storage and container storage facilities; antennae and antennae towers, dishes and appurtenances thereto (including without limitation microwave, cell radio, TV or other transmission and reception); crew and employee change, housing and dining facilities; employee training facilities; gate stations, lighting standards and towers; cross dock facilities; warehouse; motel; restaurant; gas and oil station; truck and automotive repair facilities. In addition to the foregoing: (1) the outdoor conduct of any permitted use is expressly allowed; and (2) nothing contained in this chapter, including without limitation section 110-209, toxic substances, shall be deemed to prohibit or regulate the type of material contained in locomotives, trains, train cars, intermodal containers, trucks or any other type of containers or vehicles.

Railroad right-of-way means a strip of land with tracks and auxiliary facilities for truck operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops or water towers.

Recreation space means total area in square feet which is countable as open space, but is not paved in streets, walks or driveways and is suitable for recreation pursuits. That part of a recreation area having a dimension of less than 20 feet shall not be included as countable recreation space. In addition, countable recreation space must be at least 20 feet away from any residential wall containing a window on the ground floor.

Recreation space ratio means the square footage of space for active recreation provided for each square foot of building area.

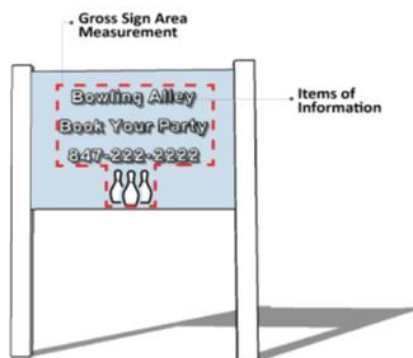
Seasonal banner means any sign of lightweight fabric or similar material that is temporarily mounted to a pole or a building by a permanent or temporary frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business are not banners within the meaning of this definition.

Satellite signal receiving antenna and satellite dish mean a device designed for the purpose of receiving and converting earth orbiting satellite communications signals. It may be a solid, open mesh or bar configured structure typically in the shape of a shallow dish or parabola. Said antennas of this type are hereinafter referred to as "satellite dishes."

Setback means a minimum horizontal distance between the street line (right-of-way) and the nearest point of a building or any projection thereto.

Sexually-oriented land use means adult arcades, adult bookstores, adult clubs, adult photographic or modeling studios, adult theaters, special cabarets, and any other proposed use that is substantially similar in nature to those set forth herein.

Sign means any display, device, notice, figure, painting, drawing, message, placard, poster, symbol, letter, word, numeral, emblem, trademark, banner, pennant or other thing which is designed, intended or used to advertise, inform or direct attention, which is visible to the general public from a street, highway, alley, sidewalk or other public way, whether such sign is placed out of doors or in windows.



Sign area means the total exposed surface devoted to the sign's message (i.e., a ten-foot by ten-foot freestanding sign with copy on both sides would have a total area of 200 square feet). The area shall be measured by the smallest area which encloses the entire message, including any air space between portions of the sign. The supporting structure which does not contain a message shall not be used in determining a sign's area. The area of a sign composed of characters or words attached directly to a building surface shall be the smallest rectangle which encloses the whole group.

Sign, banner means any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business are not banners within the meaning of this definition.

Sign, building means any sign attached to any part of a building as contrasted to a free standing sign.

Sign, canopy means a sign meant to be suspended beneath a canopy, or on the canopy material, over a public walkway.

Sign, community event/special group means a sign advertising an event of public interest (e.g., church fairs, concerts, community dinners).

Sign, electronic message means a sign that displays its message electronically, as opposed to physically.

Sign, existing means any permanently mounted, attached or painted sign in existence at the time of passage of this chapter, if said sign has been registered with the building division of the city.

Sign, feather means a flexible or rigid pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and which is used for the primary purpose of advertising or attention-getting.

Sign, flashing means any directly or indirectly illuminated sign (other than an electronic message sign as defined in this section), either stationary or animated, which exhibits changing natural or artificial light or color by any means whatsoever.

Sign, ground means any sign supported by uprights or braces placed in the ground and not attached to any building.

Sign, illegal means signs installed, erected, painted or altered without permit, whether or not it is conforming to locations allowed in this chapter.

Sign, illuminated means any sign which has characters, letters, figures, designs or outline illuminated by owner.

Sign, information means any sign directing and guiding automotive or pedestrian traffic or parking. Including signs identifying restrooms, public telephones, walkways and similar features or facilities.

Sign, interior means any sign located in the interior of any building, or within an enclosed mall or court, which are designed and located to be viewed exclusively by patrons of such use or uses.

Sign, memorial means tablets, names of buildings and the date of erection, cut into any masonry surface or constructed of metal and affixed flat against a structure.

Sign, moving or rotating means any sign or other advertising structure which physically moves in any manner whatsoever.

Sign, off-premises means a sign, the copy thereon not necessarily related to activities, goods or services conducted or available on the premises whereon the sign is located.

Sign, on-premises means a sign, the copy thereon relating to activities, goods or services, conducted or available on the premises whereon the sign is located.

Sign, portable means any sign, upon which the copy can be changed by movable or removable letters, numbers or symbols, not permanently affixed to a building or the ground and designed to be moved from place to place.

Sign, prohibited means any sign prohibited by this chapter.

Sign, projecting means any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Sign, public utility means signs indicating danger or which serve as an aid to public safety or which show the location of underground facilities.

Sign, real estate means signs which advertise the sale or rental of the real property upon which said sign is located.

Sign, roof means any sign erected, constructed, placed or maintained in whole or in part upon or over the roof of a building.

Sign, temporary means a sign which is not permanently affixed to the ground or a structure and which is designed to promote or advertise a particular event or purpose.

Sign, wall means any flat signs mounted, attached to or painted, in a professional manner, on the exterior wall of a building or structure. Wall signs shall not project more than 12 inches from the wall to which they are affixed.

Sign, window means any flat signs mounted, attached to or painted, in a professional manner, on the interior window surface of a building or structure. Window signs shall not project more than six inches from the window to which they are affixed. A window sign shall not cover more than 50 percent of the window area. The area of window signage shall be included in the total signage area allowed by this chapter.

Special cabaret means any bar, dance hall, restaurant, or other place of business which features dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers, or waiters or waitresses that engage in specified sexual activities or display specified anatomical areas, or any such business

establishment the advertising, sign, or signs, for which use the words "adult," "topless," "nude," "bottomless," or other words of similar import.

Specified sexual activities means the following are specified sexual activities, regardless of whether the activity is actual or simulated:

- (1) Showing of human genitals in a state of sexual stimulation or arousal;
- (2) Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or excretory functions; or
- (3) Fondling or erotic touching of human genitals, pubic region, anus, buttocks, or female breasts.

Specified anatomical areas means the following are specified anatomical areas:

- (1) Less than completely and opaquely covered human genitals, pubic region, or cleavage of the nates of the buttock.
- (2) Human male genitalia in a discernible turgid state, even if completely and opaquely covered.
- (3) That portion of the human female breast directly or laterally below a point immediately above the top of the areola, which shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided that the areola is not so exposed.
- (4) Any covering, tape, plastic, latex spray, paint, or other device which simulates or otherwise gives the appearance of the display or exposure of any of the specified anatomical areas listed above.

Special use means a use of land, water or building which is allowable only after the issuance of a special permit by the city council under conditions specified in this chapter.

Stable, livery means any building, other than a private stable, designed, arranged, used or intended to be used for the storage of horses or horse-drawn vehicles or both.

Story.

- (1) "Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding 14 feet in height shall be considered as an additional story for each 14 feet or fraction thereof.
- (2) For purposes of building height measurement, the term "story" means the vertical distance from top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists, or, where there is not a ceiling, to the top of the roof rafters.

Street means a public way other than an alley.

Street line means a line separating an abutting lot, piece or parcel of land from a street.

Structural alterations mean any change made to any load bearing member of a structure, including but not limited to drilling, notching, replacing, or repairing said load bearing member.

Structure means anything constructed or erected which requires location on the ground or is attached to something having location on the ground.

Terrace, open means a level and rather narrow plane, or platform, which, for the purposes of this chapter, is located adjacent to one or more faces of the main structures, and which is constructed not more than four feet in height above the average level of the adjoining ground.

Tourist court, motor lodge and motel mean a group of attached or detached buildings containing individual sleeping or living units designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit, including auto courts, motels, motor lodges or other similar facilities.

Tourist home means a dwelling in which accommodations are provided or offered for transient guests.

Toxic substance means any gas, liquid, solid, semisolid substance or mixture of substances, which if discharged into the environment could, alone or in combination with other substances is likely to be present in the environment, cause or threaten to cause bodily injury, illness or death to members of the general public through ingestion, inhalation, or absorption through any bodily surface. In addition, substances which are corrosive, irritants, strong sensitizers, or radioactive substances (other than highly toxic radioactive substances) shall be considered toxic substances for the purposes of this regulation.

Transloading means the process of transferring a shipment from one mode of transportation to another, such as railcar to truck (and vice-versa). It is most commonly employed when one mode cannot be used for the entire trip, as for instance when goods must be shipped internationally from one inland point to another. An "intermodal" facility is a form of transloading, even though in this case the product typically does not change containers.

Truck parking area means any land used or intended to be used for the storage or parking of trucks, tractors, truck trailers and commercial vehicles, while not loading or unloading, and which exceed three tons in capacity.

Usable satellite signal means a satellite signal which, when converted and viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television.

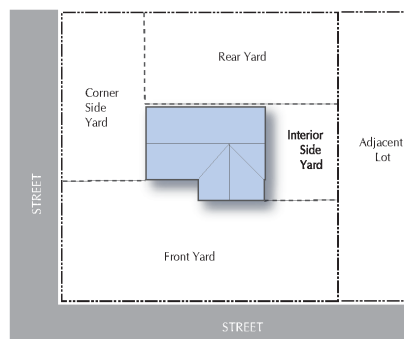
Use means the purpose for which land or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

Used car lot means a zoning lot on which used cars or trucks are displayed for sale or trade.

Vision clearance triangle means an unoccupied triangular space at either:

- (1) The corner lot which is bounded by the street right-of-way lines; or
- (2) The intersection of the street line and either side of the line of a private driveway at an egress point facing the public right-of-way which consists of the street lines or street and driveway lines, as the case may be, and a setback line connecting points determined by measurements from intersection of the street and driveway lines.

Wall, for purposes of building height measurement, means the vertical distance of such wall to the top of the wall.



Yard means any open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

Yard, front means a yard extending the full width of the lot between the front lot line and the nearest part of the main building.

Yard, rear means a yard extending the full width of the lot, being the minimum horizontal distance between the rear lot line and the nearest part of the building.

Yard, side means a yard extending from the front yard to the rear yard, being the minimum horizontal distance between a building and the side lot line.

Zoning map means the maps incorporated into this chapter as a part hereof.

Zoning ordinance means this chapter.

(Ord. No. 21-5231 , § 2, 4-12-2021)