

## RULES OF CONSTRUCTION AND GLOSSARY OF TERMS

### § 157.004 RULES OF CONSTRUCTION.

The following rules shall apply in the construction and interpretation of this chapter and of the terms used herein:

- (A) The present tense includes the future tense;
- (B) The masculine gender includes the feminine and the neuter;
- (C) The singular number includes the plural and vice versa;
- (D) The word **SHALL** is always mandatory, the word **MAY** is always permissive;
- (E) The word **PERSON** includes a partnership, association, firm, trust, club, company, or corporation as well as the individual;
- (F) The word **USED** or **OCCUPIED** or **LOCATED**, as applied to any land, building, use, structure, or premise, shall be construed to include the words “intended, arranged, or designed to be used or occupied or located”;
- (G) The word **LOT** shall include the words “plot” and “parcel”; and
- (H) Any use of land which is not explicitly allowed under this code shall be considered to be allowed under that category of described use to which it is most analogous.

(Prior Code, 7 TCC 1-2(a))

### § 157.005 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACCESS.** A way or means of approach to provide physical entrance to a property.

**ACCESSORY.** As applied to a building, structure, or use, one which is on the same lot with, incidental to and subordinate to, the main or principal structure or use and which is used for purposes customarily incidental to the main or principal structure, or the main or principal use.

**ACRE.** 43,560 square feet.

**ADDITIONS.** Those construction activities which involve adding area to the ground coverage of a building or structure or adding to its height and volume.

**ADJOINING LOT OR PARCEL.** A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land and which is not separated by a publicly dedicated right-of-way.

**ADULT ENTERTAINMENT ESTABLISHMENT.** A commercial establishment such as, but not limited to: adult cabarets; adult store; adult theater; body shop or model studio; and massage establishment.

**ADULT-USE CANNABIS BUSINESS ESTABLISHMENT:** A cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

**ADULT-USE CANNABIS CRAFT GROWER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS CULTIVATION CENTER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS DISPENSING ORGANIZATION:** A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR:** A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER:** An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

**AGRICULTURALLY-RELATED BUSINESS.** A business activity related to agriculture that includes, but is not limited to: anhydrous ammonia facilities; fertilizer production, sales, storage, mixing and distribution; grain drying and storage; grain elevators; agricultural production and distribution of agricultural products; repair and sale of farm implements; and sale of feed or sod. Agriculture shall not include the cultivation of cannabis as defined by the Illinois Cannabis Regulation and Tax Act.

**AGRICULTURE.** Activities customarily engaged in by persons in the business of farming and constitutes the principal activity of land which includes the planting, growing, production, harvesting, keeping, or maintenance, for lease or personal use of: beekeeping; dairying and grazing; egg production; field crops; fish or fur farming; floriculture; greenhouses/nurseries (non-commercial); horticulture; hydroponics; livestock raising; orchards; paddocks; poultry raising; sod farming; truck farming; viticulture; and other similar or closely related activities. Farm buildings for protecting or storing farm equipment or machinery. Agricultural purposes include, without limitation, the growing, developing, processing, conditioning, or selling of hybrid seed corn, seed beans, seed oats, or other farm seeds. Agriculture shall not include the cultivation of cannabis as defined by the Illinois Cannabis Regulation and Tax Act.

**AGRITAINMENT/AGRITOURISM.** A commercial operation in conjunction with a working farm for the recreation, education, enjoyment and entertainment of visitors that involves agriculturally based operation and activities on agricultural property, as defined in Section 3-35 of the Use Tax Act. Agritainment/Agritourism activities include, but are not limited to: historic, cultural, and on-site educational programs; guided and self-guided tours; petting zoos; crop mazes; U-pick operations; farm related gift shop; estate distilling and winemaking ; horseback or pony rides; and hayrides or sleigh rides. Accessory uses may include the sale of food and refreshment for consumption on site. Agritourism/Agritainment does not include the following activities: hunting; fishing; amusement rides; rodeos; off-road biking or motorized off-highway or all-terrain vehicle activities; boating, swimming, canoeing, hiking, camping, skiing, bounce houses, or similar activities; or entertainment venues such as weddings or concerts.

**AIRPORT, COMMERCIAL.** Any area of land, water, or both, used for the landing and departure of aircraft, intended for a profit, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo, and all appurtenant areas used or suitable for airport buildings or other airport facilities.

**AIRPORT, RESTRICTED LANDING AREA.** Any area of land, water, or both, which is used or is made available for the landing and departure of aircraft and which is not used for commercial purpose.

**AMENDMENT, ZONING.** A change of the zoning district that is applied to a lot or parcel of land or change in the text of this chapter.

**ANIMALS, DOMESTIC.** Animals that are customarily kept for personal use or enjoyment within the home. Domestic animals shall include, but not limited to, domestic dogs, domestic cats, domestic tropical birds, or rodents.

**ANIMALS, EXOTIC.** Animals not indigenous to this country.

**ANIMALS, FARM.** The species of fowl, ovine, caprine, bovine, porcine, and equine that have been domesticated for agricultural purposes.

**ANIMAL UNITS.** A term used to establish an equivalent density for various species of livestock.

**APARTMENT.** A room or suite of rooms in a multiple- or two-family dwelling which is arranged, designed, used, or intended to be used as a single housekeeping unit. Permanently installed kitchen, bath, and toilet facilities are included within each apartment.

**AREA, LOT.** The total area within the lot lines.

**ARENA, EQUINE ENCLOSED.** A building or structure housing a platform, ring, arena, or the like, used for equine-related activities for pleasure, training, competition, exhibitions, demonstration, sale, or therapeutic riding for the disabled.

**ARTERIAL.** See **STREET, ARTERIAL.**

**ASPHALT BATCHING PLANT.** A facility used for the production of bituminous substances used for paving.

**ATHLETIC FIELD.** An open area of land wherein facilities are provided for athletic sports or activities.

**AUDITORIUM.** A building or structure used for public gatherings or meetings.

**AUTOMOBILE REPAIR MAJOR.** General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers; collision services including: body; frame; or fender straightening or repair; overall painting or paint shop; or vehicle steam cleaning.

**AUTOMOBILE REPAIR MINOR.** The business of mechanical repair work and servicing of automobiles, including fast service, tune up, and lubricating facilities, but specifically excluding body work or painting.

**AUTOMOBILE SERVICE STATION.** Any building or lot used for the maintenance of automobiles, including the sale and installation of tires, batteries and other minor accessories, and services for automobiles such as automobile minor repair. Uses may also include the dispensing, selling, or offering for retail sale, gasoline, kerosene, lubricating oil, or grease. This may include buildings or structures that are used for the retail sale and direct delivery to motor vehicles of cigarettes, candy, soft drinks, and other related items for the convenience of the motoring public. Such establishments shall not include facilities for major automobile repair or the sale or storage of new or used automobiles or trailers.

**AUTOMOBILE WRECKING YARD.** Any place where inoperable motor vehicles or the parts thereof, or any other inoperable motor machinery or parts thereof, are stored in the open and are not being restored to operation; or, any land, building, or structure used for the wrecking or storing of such motor vehicles or machinery, of the parts thereof. The presence on any lot or parcel of land of two or more inoperable motor vehicles or pieces of machinery which, for a period of 15 days, have not been capable of operating under their own power and from which parts have been or are to be removed shall constitute prima facie evidence of an automobile wrecking yard.

**AUTOMOBILE, CAR WASH.** A building or structure containing facilities for washing automobiles, automatically and/or manually.

**AUTOMOBILE, SALES.** The use of any building, land area, or other premises for the display and sale of new or used automobiles, trucks or vans, trailers, or recreational vehicles, including any warranty repair work or other repair service conducted as an accessory use.

**AUTOMOBILE, SERVICING AND PARTS.** The use of any building, land area, or other premises for the sale and installation of parts such as tires, batteries, mufflers, and brakes; routine maintenance such as oil change and lubrication; or other incidental repair; but excludes the outdoor storage of damaged vehicles.

**BACKFILL.** Materials used to refill a ditch or other excavation, or the process of doing so.

**BANQUET FACILITY.** An establishment that is rented by individuals or groups and is intended and designed to accommodate private (by invitation only) functions, including, but not limited to, banquets, weddings, anniversaries, conferences, business meetings, and similar events.

**BASE FLOOD ELEVATION.** The elevation in relation to mean sea level of the crest of the base flood. The Base Flood is also known as the 100-year flood.

**BASEMENT (CELLAR).** The lower level of a structure partly or wholly underground.

**BED AND BREAKFAST.** An owner-occupied dwelling unit having not more than five guest rooms where lodging, with or without meals, is provided to the public for compensation.

**BERM.** An earth mound that is designed to control and divert surface runoff or which is designed to serve as a visual buffer.

**BLOCK.** A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines, or waterways.

**BUILDING.** Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property.

**BUILDING LINE.** A line usually parallel to the front, side, or rear lot line set so as to provide the required yards for a building or structure.

**BUILDING WRECKING YARD.** An open area where collapsed buildings, or the material (s) remaining after building demolition, including mobile homes and recreational vehicles, are being stored in the open and are not being restored to a useable and/or safe condition; or any land, building, or structure used for the wrecking/demolition of buildings and mobile homes and recreational vehicles.

**BUILDING, PRINCIPAL.** A building which is designed, used, or intended to be occupied and maintained for the principal use of the land on which it is located.

**CABIN, COTTAGE, SUMMER COTTAGE, RECREATION CABIN.** A dwelling unit designed for temporary seasonal occupancy that is not used for more than six months in any given year.

**CAMP.** Any land, including buildings, structures, or camping units, used for assembly or temporary occupancy by persons which may provide outdoor recreation facilities.

**CAMPGROUNDS.** A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education, and vacation purposes.

**CAMPING UNIT.** Any tent, trailer, cabin, lean-to, recreational vehicle, or similar structure constructed, erected, or maintained or operated in a campground as temporary living quarters for recreation, education, or vacation purposes.

**CAMP, DAY.** A camp not providing overnight accommodations.

**CANNABIS:** Marijuana, hashish, and other substances that are identified as including any parts of the plant *Cannabis sativa* and including derivatives or subspecies, such as indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction; however, "cannabis" does not include mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted from it), fiber, oil or cake, or the sterilized seed of the plant that is incapable of germination. "Cannabis" does not include industrial hemp as defined and authorized under the Industrial Hemp Act. "Cannabis" also means concentrate and cannabis-infused products.

**CEMETERY.** A parcel of land, buildings, and/or structures used for the interring of human remains.

**CEMETERY, PET.** A parcel of land, buildings, and/or structures used for the interring of animal remains.

**CHURCH.** A building and/or structure wherein persons regularly assemble for religious worship, which is used only for such purposes and activities that are customarily associated therewith. Accessory uses may include rectory, parsonage, Sunday School, Christian education.

**CLINIC, MEDICAL.** A building used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured people and those who are in need of medical, surgical, psychological, or dental attention, but who are not provided with board or room or kept overnight on the premises.

**CLOSED LOOP WELL.** A sealed, water-tight loop of pipe buried outside of a building foundation that is intended to recirculate a liquid solution through a heat exchanger.

**CLUB OR LODGE, PRIVATE (NON-PROFIT).** A non-profit association which owns, hires, or leases a building, premises, or portion thereof; the use of such premises being restricted to members and their guests.

**COMMERCIAL.** Any use having financial profit as an objective.

**COMMERCIAL EQUIPMENT.** Any machinery, materials, tools, or fuels typically used or sold in conjunction with a business.

**COMMERCIAL RETAIL ESTABLISHMENT.** A building, property, or activity, the principal use or purpose of which is the sale of goods, products, or materials directly to the consumer. This includes, but is not limited to, clothing stores, grocers, caterers, pharmacies, book stores, florists, furniture stores, hardware stores, pet stores, toy stores, and variety stores, but does not include restaurants or personal service establishment. Commercial Retail Establishments shall not include any business that dispenses cannabis, cannabis infused products, paraphernalia, or any related supplies.

**COMMERCIAL VEHICLE.** Vehicles associated with the specialized commercial use which includes, but is not limited to, loaders, forklifts, tow trucks, truck trailers (semis), wreckers, backhoes, dump trucks, flat bed truck, and construction equipment and the trailers that haul these vehicles.

**COMMUNITY CENTER.** A building or land used for recreational, social, educational, and cultural activities, usually owned and operated by a public non-profit group or agency.

**COMMUNITY DEVELOPMENT ADMINISTRATOR.** The officer designated by the County Board responsible for enforcing and administering the requirements of this chapter.

**COMPREHENSIVE PLAN (GENERAL PLAN, CITY PLAN, MASTER PLAN).** The adopted plan of Tazewell County and the adopted plans by any other local unit of government regarding the long-term development of that jurisdiction.

**CONTIGUOUS.** Next to, abutting, or touching and having a boundary, or portion thereof, which is coterminous.

**CONTRACTOR.** A profession such as, but not limited to, the following: plastering; well drilling; septic installation; carpentry; and masonry.

**CONVENIENCE STORE.** A retail store with a floor area of less than 5,000 square feet, which sells groceries and/or beer or wine, and is open 15 to 24 hours a day, but not including an automobile service station.

**COUNTY.** Tazewell County, Illinois.

**COUNTY BOARD.** The County Board of Tazewell County, Illinois.

**COUNTY CLERK.** The Clerk of Tazewell County, Illinois.

**COUNTY HIGHWAY ENGINEER.** The appointed head of the Tazewell County Highway Department.

**COUNTY RECORDER.** The Recorder of Deeds of Tazewell County, Illinois.

**COUNTY, UNINCORPORATED LANDS.** All land within the county boundaries, but not located within a municipality or village.

**DAMS.** All obstructions, wall embankments, or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool.

**DAY CARE CENTER.** A facility which is operated by any person, group of people, agency, association, or organization licensed by the state, whether established for gain or otherwise, who or which receives or arranges for the care or placement of children and/or senior citizens unrelated to the operator of the facility, established and maintained for the general care of children and/or senior citizens. Day Care Center includes facilities commonly called Child Care Facility, Day Nurseries, Nursery Schools, but does not include any state operated institution for child care or any bona fide boarding school.

**DAY CARE HOME.** Any detached dwelling which receives more than four but no more than eight children for less than 24 hours per day. The maximum eight children received shall be reduced in number by the family's natural adopted or foster children and all persons under the age of 14 residing in the home. This does not include an operation which receives only children from a single family.

**DENSITY.** The permitted number of dwelling units per gross acre of land to be developed.

**DEVELOPMENT.** The division of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, enlargement, demolition of any structure; the drilling, filling, mining, grading, excavating, or other non-agricultural alterations of the ground surface; or any use, change, or extension of the use of land.

**DISTRICT.** A section or part of the unincorporated portions of the county within which certain zoning or development regulations apply.

**DRIVEWAY.** Any surface providing direct ingress to and egress from a parking space, garage, dwelling, or other structure.

**DWELLING.** A building or portion of a building designed or used exclusively for residential purposes, including single-family and multi-family dwellings, but not including temporary overnight accommodations.

**DWELLING UNIT.** One or more rooms in a residential building which are arranged, designed, or used as living quarter for one family. Bathroom and kitchen facilities are permanently installed.

**DWELLING, MULTI-FAMILY.** A dwelling containing three or more dwelling units.

**DWELLING, SINGLE-FAMILY.** A detached dwelling, designed for or intended to be occupied by one family.

**DWELLING, TWO-FAMILY.** A dwelling designed and intended to house two families.

**EASEMENT.** A grant of one or more of the property rights by the owner to, or for the use by, the public, corporation, or another person or entity.

**EXEMPT ORGANIZATIONS.** Organizations which are exempt from this chapter per the state's statutes, including state, federal, or local units of government.

**EXTERIOR STORAGE.** Storage which occurs outside of a building.

**FAMILY.** One individual or two or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit; or a group of not more than six persons not related by blood, marriage, or adoption, living together as a single housekeeping unit. The term Family shall not include a fraternity, sorority, overnight accommodation, or residential care home.

**FAMILY MEMBER.** Include son, daughter, stepchild, parent, or grandchild.

**FARM.** Any parcel of land used for the growing and harvesting of crops, for the feeding, breeding and management of livestock, for dairying, or for any other agricultural or horticultural use.

**FARM RESIDENCE.** Any residence on a farm owned by the farm owners, operators, tenants, or seasonal or year-round hired workers. Farm is the land, buildings, and machinery used in the commercial production of farm products.

**FEEDLOT.** Any tract of land or structure, pen, or corral wherein cattle, horses, sheep, goats, swine, and other livestock are maintained in close quarters for the purpose of feeding or maintaining such livestock, excluding a livestock feeding operation.

**FENCE.** A free-standing structure made of metal, masonry, or wood, or a combination thereof, including gates, resting on or partially buried in the ground level, and used to delineate a boundary or a barrier or means of protection, confinement, or screening, but does not include hedges, shrubs, trees, or other natural growth.

**FENCE, OPEN.** A fence including entrance and exit gates, where viewed from at least one horizontal angle, each one-foot wide segment for the full length and height of the fence contains at least 50% open spaces. Open Fences shall include, but not limited to, chain link, mesh type, and picket fences.

**FENCE, PERIMETER.** A fence that follows the outward boundaries of the property on which it is located.

**FENCE, PRIVACY/SOLID.** A fence that conceals from view from all angles from adjacent properties and streets the premises behind such fence.

**FLOOR AREA.** The sum of the gross horizontal areas of each floor measured from the exterior walls or from the centerline of party walls. Floor Area includes the floor area of accessory buildings and structures, but does not include any area used exclusively for the parking of motor vehicles.

**FLOOR AREA RATIO.** The total floor area of a building or buildings on a lot or parcel divided by the gross area of the lot or parcel.

**FLOOR, GROUND.** The lowest floor or lowest level of any building or structure, excluding a basement or cellar.

**FRONTAGE.** The front or frontage is that side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side line of a corner lot. For further purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered **FRONTAGE**, and yards shall be provided as indicated under yards in this section.

**FUNERAL HOME.** A building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

**GAME BREEDING AND SHOOTING PRESERVE AREA.** An area licensed by the state under the Code of 1971, as amended, 520 ILCS 5/3.27, which must meet certain requirements for area and operating procedures, and which is granted special hunting privileges.

**GARAGE, PRIVATE.** An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used for storing privately owned motor vehicles, boats, and trailers of the family or residents on the premises.

**GARAGE, PUBLIC.** A building designed or used for the housing of vehicles (usually motor) also, a building in which vehicles are on display, are for sale, or are housed for repair or storage purposes.

**GOLF COURSE.** A multiple hole course for playing golf, including any accessory driving range, clubhouse, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restroom facility, or similar accessory use or structure. This term shall not include miniature golf courses as a principal or accessory use, nor shall it include driving ranges which are not accessory to a golf course.

**GOLF DRIVING RANGE.** An area of land, including buildings or structures, intended solely for the practice of golf driving skills.

**GOVERNMENTAL USE, ESSENTIAL.** A governmental use that is indispensable to the community's health, safety, and welfare including, but not limited to, police stations, fire stations, emergency medical services, and governmental buildings without equipment storage.

**GOVERNMENTAL USE, NON-ESSENTIAL.** A governmental use that is not critical to the health, safety, and welfare of the community, such as libraries, museums, post offices, and governmental buildings with equipment storage.

**GREENHOUSE AND/OR NURSERY CENTER.** An enterprise where plants grown on the site, as well as accessory items directly related to the maintenance and care of plant life, are sold. A Greenhouse/Nursery Center does not include the growing or selling of cannabis.

**GREENHOUSE COMMERCIAL.** A greenhouse where flowers, shrubs, and plants that are grown off-site are sold. A Commercial Greenhouse shall not include the growing or selling of cannabis.

**GREENHOUSE NON-COMMERCIAL.** A greenhouse where flowers, shrubs, and plants are grown on-site for personal enjoyment, wholesale distribution, or sale off-site. Non-Commercial Greenhouses are a form of agriculture. A Greenhouse Non-Commercial shall not include the growing or selling of cannabis.

**HEALTH CLUB or FITNESS CENTERS.** A privately owned building or enclosed structure containing recreational facilities, such as athletic or physical conditioning equipment, racquet courts, and/or swimming pool, which is operated on a private membership basis and restricted to use by members and their guests.

**HEALTH DEPARTMENT.** The Tazewell County Department of Public Health.

**HEIGHT.** The vertical distance from the average ground elevation to the highest point of the roof of a building or structure.

**HOME COMMERCIAL.** A gainful occupation, trade, service, or profession conducted in conjunction with a dwelling and carried on by one or more of the occupants of said dwelling. A **HOME COMMERCIAL USE** is a use which exceeds one or more of the limitations set forth in § 157.052 and approved as a special use.

**HOME OCCUPATION.** Any business or profession carried on by the occupant as an accessory use in the occupant's dwelling.

**HOMES, INSTITUTIONS, SPECIALIZED CARE FACILITIES.** A private home, institution, building, residence, or other place operated for profit or not-for-profit which provides, through its ownership or management, personal care, sheltered care, and/or nursing care for unrelated individuals not comprising a family unit. Examples include nursing homes and retirement facilities.

**HOSPITAL.** A building where provisions for primary health services and medical or surgical care to people, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities. Hospital shall also include, but not be limited to, sanitariums and any other medical facility where intensive medical treatment and overnight care is provided.

**HOTEL or MOTEL, LODGES or RESORTS.** A building or structure designed for transient occupancy, consisting of rooms or suites providing living, sleeping, and individual toilet facilities. Additional services such as restaurants, meeting rooms, and recreational facilities may be provided.

**HUNT CLUB.** See **GAME BREEDING AND SHOOTING PRESERVE AREA.**

**ILCS.** Illinois Compiled Statutes.

**INCOMPATIBLE USE.** A use which is not compatible with other uses permitted in a district because it is inconsistent therewith.

**INDUSTRIAL PARK.** A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services.



**INDUSTRY, HEAVY.** The assembly, fabrication, manufacturing, storage, or processing of goods and materials that ordinarily have significant impacts on the environment or on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards, or that otherwise do not constitute “light industry”, such as food processing plants, resource extraction, recycling centers, sawmills, petroleum storage facilities, or facilities handling or processing hazardous and/or toxic material. Industrial Heavy shall not include an Adult Cannabis Processing Organization or Infuser nor shall it include an Adult Cannabis Transporting Organization or Transporter.

**INDUSTRY, LIGHT.** The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing does not exceed 25% of the floor area of all buildings on the lot. This includes, but is not limited to, printing establishments, facilities for auto body work, welding, painting or major repair work, and sandblasting. Industrial Light shall not include an Adult Cannabis Processing Organization or Infuser nor shall it include an Adult Cannabis Transporting Organization or Transporter.

**INSTITUTIONAL USE.** Uses that may or may not be permitted or special uses in a zoning district that typically provide education, governmental, health, recreational, social, and transportation services in the community on either a for profit or not-for-profit basis.

**JUNK.** Includes, but is not limited to old, dilapidated scrap or abandoned metal, paper, cardboard, building and construction material and equipment (including, but not limited to wood, lumber, concrete, and the like), bottles, glass, tin cans, appliances, furniture, beds and bedding, rags, rubber, boats, tires, inoperable motor vehicles and parts, machinery parts, more than three lawnmowers and any other manufactured or constructed object which has outlived its usefulness in its original form (notwithstanding the fact that the object may have scrap value or could be reconditioned) where such object(s), due to its/their present condition and/or visibility, may reasonably be construed to be unsightly, dangerous, or unsanitary.

**JUNKYARD.** An open area where junk, as defined herein, is brought, sold, exchanged, stored, baled, packed, disassembled, or handled, including automobile wrecking yards.

**KENNEL.** A lot, premises, use or structure intended and used for either breeding, training, wholesaling, boarding, and/or overnight boarding of domestic animals; provided that a lot, premises, use or structure shall not be considered a kennel if (i) it is solely intended and used for breeding; and (ii) the operation involves four (4) or fewer breeding females.

**KENNEL, COMMERCIAL.** Any kennel which is not a private kennel.

**KENNEL, PRIVATE.** Any kennel intended and used only to serve animals which are personally owned by the owner of the kennel, and which involves not more than four (4) adult animals.

**LAND USE PLANNER.** The Tazewell County Land Use Planner.

**LANDSCAPE WASTE.** All accumulations of grass or shrubbery cuttings, leaves, tree limbs, and other materials accumulated as the result of the care of lawns, shrubbery, vines, and trees.

**LANDSCAPE WASTE COMPOSTING/MULCHING FACILITY.** An establishment for the composting and mulching of landscape waste materials accumulated as the result of the care of lawns, shrubbery, vines, and trees. However, property on which the principal use is residential/agriculture and on which composting of such landscape waste materials, accumulated exclusively on site, is conducted, shall not be considered a Landscape Waste Composting Facility.

**LIVESTOCK FEEDING OPERATION.** Any new or existing operation which stables or confines and feeds or maintains for a total of 45 days or more in any 12-month period a combination of at least 50 animal units, or its equivalency, as defined below:

<b>Category</b>	<b>Animal Unit</b>
Brood cows and slaughter feeder cattle	1 animal unit
Ducks	0.02 animal units
Horses	2.0 animal units
Laying hens or broilers (facilities with continuous overflow watering)	0.01 animal units
Laying hens or broilers (facilities with liquid manure handling system)	0.03 animal units
Milking dairy cows	1.4 animal units
Sheep, lambs, or goats	0.1 animal units
Swine weighing over 55 pounds	0.4 animal units
Swine weighing under 55 pounds	0.03 animal units
Turkeys	0.02 animal units
Young dairy stock	0.6 animal units

**LOT.** A parcel of land legally described or subdivided as a distinct portion or piece of land or lot of record to be separately owned, used, or developed.

**LOT, CORNER.** A lot contiguous to two streets at their juncture, when the interior angle formed is less than 135 degrees.

**LOT, FLAG.** A lot or parcel with access to the bulk of the property by means of a narrow corridor.

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

**LOT, THROUGH.** A lot or parcel having its front and rear yards each abutting on a street.

**LOT LINE, PROPERTY LINE.** A line dividing one lot or one parcel from another lot or parcel or from a street, alley, or other right-of-way.

**LOT LINE OR PROPERTY LINE, FRONT.** The boundary of a lot which abuts a street. On a corner lot, the Front Lot Line is the lot line which is opposite the front wall of the principal structure.

**LOT LINE OR PROPERTY LINE, REAR.** The lot line not intersecting a front lot line that is most distant from and most parallel to the front lot line.

**LOT LINE OR PROPERTY LINE, SIDE.** Any lot line which is not a front or rear lot line.

**LOT OF RECORD.** A single lot which is part of a subdivision plat which has been recorded in the office of the Recorder of Deeds of the county, or a single parcel of land, the deed of which has been recorded in the office of the Recorder of Deeds of the county.

**LOT OR PARCEL, AREA.** The area of a horizontal plane bounded by the front, side, and rear lot lines of a lot or parcel.

**LOT OR PARCEL, BUILDABLE AREA OF.** That portion of a lot or parcel bounded by building lines.

**LOT OR PARCEL, WIDTH.** The horizontal distance between the side lot or parcel lines measured at the required front setback.

**MANUFACTURED HOME.** Includes structures known as manufactured homes or mobile homes, manufactured after July 1, 1976. The construction of the a manufactured/mobile type of single-family residence is regulated by the Federal Department of Housing and Urban Development (HUD) and must comply with the National Manufactured Home Construction and Safety Standards, being 42 U.S.C. §§ 5401 et seq. Manufactured/mobile type homes may be used with or without a permanent foundation. These standards apply uniformly across the country and it is illegal for state or local unit of government to impose additional construction requirements. **MANUFACTURED/MOBILE TYPE** units will have a red metal seal permanently affixed to the rear of each towable unit. **MANUFACTURED/MOBILE TYPE** units shall be treated as a single-family detached dwelling if a minimum of 24 feet in width and more than 35 feet in length, installed on a permanent foundation, and shall have brick, wood, or cosmetically equivalent exterior siding and a pitched roof.

**MANUFACTURED/MOBILE HOME PARK.** An area of land containing spaces with required improvements and utilities for the long term placement of manufactured and mobile homes and may include services and facilities for the residents, but not including recreational vehicle parks or camps.

**MOBILE HOME.** A structure, transportable in one or more sections, which, in the travel mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which 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 and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976 to the HUD construction standards.

**MODULAR HOME.** The construction of a modular type dwelling unit is regulated by the state's Department of Public Health. Unlike the mobile type homes, the local unit of government may require additional items other than the minimum state requirements to be incorporated into the construction of modular homes. Modular Type Homes shall be placed on a permanent foundation. A state approved modular dwelling will have a yellow seal on the electrical panel box of the home. Modular Type Units manufactured at a factory in Indiana will not bear an Illinois seal, but rather will contain the seal of approval from the State of Indiana. Modular Type Units shall be treated as a single- family detached dwelling.

**NONCONFORMING LOT OR PARCEL.** A lot or parcel of record or recorded deed, the area, dimensions, or location of which was lawful prior to the effective date of this chapter, or subsequent amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**NONCONFORMING STRUCTURE OR BUILDING.** A structure or building, the size, dimensions or location of which was lawful prior to the effective date of this chapter, or subsequent amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**NONCONFORMING USE.** A specific use or activity which lawfully existed prior to the effective date of this chapter, or subsequent amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

**NON-FARM RESIDENCE.** Any residence which is not a farm residence.

**NURSING HOME.** An establishment for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, and which does not contain facilities for surgical care, obstetrics, or medical treatment other than ordinary day-to-day care of convalescent, aged, or otherwise infirm persons.

**OPEN SPACE.** Any parcel or area of land or water essentially unimproved and set aside, designated, or reserved for public or private use and enjoyment. Such space must be free of automobile traffic, parking, and undue hazard and be readily accessible by all those for whom it is intended to be used or may be restricted by limited access for use as a natural preservation area. It may also be a yard, court, or the space between two buildings or between the building and the boundary line of a lot or parcel.

**PARCEL.** A contiguous lot or tract of land owned and recorded by the same person or persons.

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

**PARKING AREA.** An area containing one or more designated parking spaces.

**PARKING LOT.** An area not within a building where motor vehicles may be parked for the purposes of temporary, daily, or overnight off-street parking.

**PARKING SPACE.** An area, enclosed or unenclosed, reserved for the parking of one motor vehicle.

**PERMANENT FOUNDATION.** A closed perimeter formation intended to support and anchor the unit and consistent of materials such as concrete, mortared concrete block, or mortared brick extending into the ground below the frost line which shall include, but not necessarily be limited to, cellars, basements, or crawlspaces, but excluding the use of piers.

**PERSON.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, legal entity, or their legal representative(s), agent(s), or assign(s).

**PERSONAL SERVICE ESTABLISHMENT.** A business which provides personal services directly to customers at the site of business, or which receives goods from or returns goods to the customer which have been treated or processed at another location. This includes, but not limited to, travel agencies, dry cleaning and laundry drop-off and pick-up, laundry coin-operated stations, tailors, hair stylists, cosmeticians, toning and tanning salons, postal substations, quick print photo establishments, shoe repair shops, interior design studios, and domestic pet services. Personal Service Establishments shall not include any business that dispenses cannabis, cannabis infused products, paraphernalia, or any related supplies.

**PERSONAL STORAGE/RECREATIONAL BUILDING:** A use or structure involving storage of personally- or family-owned items, vehicles, and/or recreational equipment, not in connection with a business or for-profit enterprise as a principal use. The building must meet the principal building setbacks for the district in which it is permitted. The building may have a restroom, but sleeping rooms are prohibited.

**PLANNED UNIT DEVELOPMENT.** A parcel or tract of land having an area as herein required, initially under unified ownership or control, and which is or is intended to be the site for two or more principal uses, or one principal building for two or more principal uses and within which allowable exceptions in the district regulations are specified.

**PLANNED UNIT DEVELOPMENT PLAT.** A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the requirements of the planned unit development and the subdivision ordinance are to be met and intended for recording with the County Recorder of Deeds.

**PLANNED UNIT DEVELOPMENT, NON-RESIDENTIAL.** A development comprised of attached and/or detached units containing, as its principal use, light industrial, industrial, or commercial uses only. The development should coordinate service areas and be built in accordance with densities specified in the zoning district in which it is located.

**PLANNED UNIT DEVELOPMENT, RESIDENTIAL.** A development comprised of attached and/or detached dwelling units that has coordinated common open space and service areas and is built in accordance with densities specified in the zoning district in which it is located.

**PLANNING COMMISSION.** The Tri-County Regional Planning Commission.

**PLAT.** A map, plan, or layout showing the subdivision of land into lots.

**POPULATION DENSITY.** A density consisting of at least ten inhabited non-farm residences located within one-half mile from a livestock feeding operation.

**PORCH.** A platform which projects from the exterior wall of a building covered by a roof or eave, which may be supported by posts, and has no roof supporting walls on three sides.

**PRIME AGRICULTURAL LAND.** According to the Illinois Circular 156, *Soil Productivity in Illinois*, a product of the University of Illinois Cooperative Extension Service and College of Agriculture, prime agricultural land as been divided into three classes defined as:

- (1) Class A: soil productivity index of 145-160 (excellent);
- (2) Class B: soil productivity index of 125-140 (very good); and
- (3) Class C: soil productivity index of 105-120 (good).

**PRINCIPAL BUILDING OR STRUCTURE.** The primary building or structure upon a lot or parcel, or the building or structure which houses the principal use of the premises.

**PRINCIPAL USE.** The primary purpose for which a land area, building, or structure is used.

**PROPERTY.** A lot, parcel, or tract of land, together with any improvements and/or structures erected, constructed, or contained thereon.

**PROPERTY LINE.** The lines bounding a lot of record, a metes and bounds parcel, or a zoning lot, as defined herein.

**PUBLIC SEWER SYSTEM.** A system for the collection of wastewater from the public having a minimum of 15 service connections. Public Sewer System includes any collection pipe and appurtenances and treatment facilities under control of a certified operator.

**PUBLIC UTILITY STRUCTURE.** An electricity or gas substation, water or wastewater storage tank, tower, reservoir, filtration plant or pumping station, telephone repeater station or similar structure used as an intermediary switching, boosting, distribution, or transfer station for electricity between the point of generation and the end user, including community support structures and antennas, radio, television, microwave transmission or relay towers, and other similar distributing equipment. Pursuant to statute (55 ILCS 5/51 2001), the county's zoning powers do not include the right to specify or regulate the type or location of public utility, as defined in the Public Utilities Act (220 ILCS 5/1-101 et seq.), if the public utility is subject to the Messages Tax Act (35 ILCS 610/1 et seq.), the Gas Revenue Tax Act (35 ILCS 615/1 et seq.), or the Public Utilities Revenue Act (35 ILCS 620/1 et seq.) or if such facilities or equipment are located on any rights-of-way and are used for railroad purposes.

**PUBLIC WATER SYSTEM.** A system for the distribution to the public of piped water for human consumption having a minimum of 15 service connections. Public Water System includes any collection, treatment, storage, and distribution facilities under control of a certified operator.

**RECREATIONAL FACILITIES.**

- (1) **CLASS I.** Facilities that do not involve motorized equipment, guns, or animals. All buildings housing such activities or accessory to the activity may not exceed a combined total of 5,000 square feet.
- (2) **CLASS II.** Facilities for sports and recreational activities that do not involve motorized equipment, guns, or animals. All buildings housing such activities or accessory to such activities may not exceed a combined total of 15,000 square feet.
- (3) **CLASS III.** Facilities including those that involve the use of motorized equipment, guns, and/or animals.

**RECREATIONAL FACILITIES/COMMERCIAL.** Any use or activity for amusement, pleasure, or sport not otherwise specifically regulated under the Zoning Code and not accessory to an existing permitted use. This includes establishments where food and beverages are sold as an accessory use, but does not include restaurants or taverns.

**RECREATIONAL VEHICLE.** A vehicular type portable structure (marine or terrain) without a permanent foundation that can be towed, hauled, or driven, and that is primarily designed as a temporary living accommodation for recreational camping and travel use, including, but not limited to:

- (1) Camping trailers, motor homes, mini motor homes, travel trailers, truck campers, and van campers;
- (2) Motorcycles, jet skis, all-terrain vehicles, stock cars, boats, snowmobiles, or such item used primarily for recreational purposes; and
- (3) Utility trailers and other trailers designed to transport materials other than people including, but not limited to, other recreational vehicles and other forms of cargo.

**RECREATIONAL VEHICLE PARK.** Any lot or parcel of land upon which two or more recreational vehicle sites are located, established,, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes. This term includes any structures or vehicles intended for use as a part of such Recreational Vehicle Park.

**RECYCLABLE MATERIALS.** Materials that are separated from garbage, municipal waste, or refuse for the purpose of recycling, including, but not limited to, aluminum and tin cans, newspapers, corrugated cardboard, high-grade printing and writing papers, magazines, landscape waste, plastic, and glass containers.

**RECYCLING CENTER.** A site or facility that accepts only segregated, non-hazardous, non-special, homogeneous, non-putrescible materials such as dry paper, glass, cans, or plastic for short-term storage for the subsequent use in the secondary materials market. This shall not include a facility which handles, collects, or otherwise stores or processes automobile bodies or parts.

**RECYCLING DROP-OFF POINT.** A collection point for small refuse items, such as bottles and newspapers, located within a container or small structure.

**RESIDENTIAL CARE HOME.** A dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term mental, intellectual, developmental, or physical disabilities or handicaps, and who are unable to live independently but are capable of community living if provided with an appropriate level of supervision, assistance, and support services, but who do not require on-site medical or nursing facilities, with the primary good of developing or exercising basic skills for daily living. This does not include dwellings for persons whose primary reason for placement in the dwelling is the abuse of alcohol or controlled substances, or the need for continuous nursing or medical care, or of persons who have recently been released from incarceration, or dwellings which serve as an alternative to incarceration for persons convicted of criminal offenses or declared criminally insane or dangerous.

**RESIDENTIAL CARE HOME, SMALL.** A residential care home with five or fewer residents.

**RESIDENTIAL CARE HOME, LARGE.** A residential care home with more than five residents.

**RESTAURANT.** An establishment, including banquet halls, that is open to the public where food and/or beverages are regularly prepared, consumed, or sold: at a table or counter within the premises; for consumption at table or counter outdoors, but located on the premises; for consumption in automobiles or other motor vehicles located in parking areas on the premises; and for consumption off the premises. The term includes fast food restaurants, whose principal business is the sale of prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building, in cars on the premises, or off the premises.

**RETIREMENT COMMUNITY.** A planned community designed to meet the needs of, and exclusively for, the residences of senior citizens.

**RIGHT-OF-WAY.** An area or strip of land, either public or private, on which irrevocable right-of-passage has been recorded for the use of vehicles or pedestrians or both.

**RIGHT-OF-WAY LINE.** The division line between private property and a dedicated street or way, usually uninterrupted from corner to corner in any given block.

**SCHOOL.** A publicly or privately owned elementary school, middle school, junior school, or high school which does not provide lodging for students. This shall not include any dwelling which receives fewer than five students.

**SCREENING.** A method of visually shielding or obscuring structures or uses from abutting or nearby properties with fences, walls, berms, or densely planted vegetation.

**SEMI-TRAILER.** A vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

**SETBACK.** The required minimum horizontal distance between the buildable area and the related front, side, or rear property lines.

**SETBACK LINES.** The line parallel to the street right-of-way or other related lot line at a distance therefrom equal to the depth of the required setback for the zoning district in which the lot is located.

**SHIPPING/CARGO CONTAINER.** An intermodal freight container that is used for the transportation and storage of goods and materials which are loaded onto trucks, trains, or ships for the purpose of moving goods and materials. For the purpose of this definition a shipping/cargo container does not have wheels and does not include a truck body, trailer or transport trailer.

**SHOOTING RANGE, INDOOR.** A facility designed or used for shooting at targets with rifles, pistols, shotguns, or archery equipment, and which is completely enclosed within a building or structure.

**SHOOTING RANGE, OUTDOOR.** A facility designed or used for shooting at targets with rifles, pistols, shotguns, or archery equipment, and which is not completely enclosed within a building or structure.

**SHOPPING CENTER.** A commercial development which is designed, developed, operated, and controlled as a unit with off-street parking placed on the site to serve jointly all establishments in the center.

**SIGN.** A structure, or part thereof, used primarily to advertise, identify, display, direct, or attract attention to an object, person, establishment, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images, but not including the decoration or covering of an exterior wall by object, depictions, design or color.

**SIGHT TRIANGLE.** The area of the corner lot closest to the intersection which is kept free of visual impairment to allow full view of both pedestrian and vehicular traffic.

**SITE COVERAGE.** The area of a planned development site which is covered by buildings, parking areas, roads, drives, and loading areas.

**SITE PLAN.** A plan prepared showing dimensions, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land.

**SOIL PRODUCTIVITY INDEX.** Productivity indexes provide a single scale on which soils may be rated according to their suitability for several major crops under specified levels of management.

**SPECIAL CONDITION.** A condition for the establishment of a special use.

**SPECIAL USE.** A use permitted in a district pursuant to, and in compliance with, procedures specified herein.

**STABLE, PRIVATE (NON-PROFESSIONAL).** A structure and/or land used which is designed, arranged, used, or intended to be used for the keeping of equines for the private use of the occupants of the dwelling and their guests, but in no event are for hire and which use does not constitute a primary source of income.

**STABLE, PUBLIC.** A structure and/or land in or on which an operator keeps equines primarily for boarding, riding, training, and giving lessons.

**STORAGE FACILITY.** An area of land in a controlled and fenced compound that allows for outside storage of items such as, but not limited to, recreational vehicles.

**STORY.** That portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above it, then the space between the floor and the ceiling next above it.

**STREET.** A thoroughfare within the right-of-way which affords the principal means of access to abutting property. A Street may be designated as an avenue, a boulevard, drive, highway, land, parkway, place, road, thoroughfare, or other appropriate name. Streets are identified as follows.

- (1) *Arterial street (highway).* A street maintained by and under the jurisdiction of the state's Department of Transportation.
- (2) *Collector street (major).* A street maintained by and under the jurisdiction of the County Highway Department.
- (3) *Minor street (minor).* A street maintained by and under the jurisdiction of the various County Township Road Commissioners, except those streets classified as direct access streets.
- (4) *Private street (minor).* A street which has not been dedicated to the public and serves a limited number of properties or uses.
- (5) *Subdivision standard.* A street which is located within the planning jurisdiction of an incorporated municipality with an adopted comprehensive plan subject to their approval.

**STRUCTURE.** Anything constructed, erected, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used either temporarily or permanently. Structure shall include, but not limited to, buildings, retaining walls, swimming pools, fences, billboards, signs.

**SUBDIVISION.** Any division, development, or re-subdivision of any lot, area, or tract of land by the owner or agent, either by lots or by metes and bounds, into lots two or more in number for the purpose, whether immediate or future, of conveyance, transfer, improvement, or sale, with the appurtenant streets, alleys, and easements, dedicated or intended to be dedicated to public use or for the use of the purchasers or owners within the tract subdivided. The division of land for agricultural purposes not involving any new street, alley, or other means of access shall not be deemed a subdivision.

**SWIMMING POOL.** A human-made rigid or semi-rigid structure for water, whether intended for indoor or outdoor use, having a depth at any point greater than two feet and with a water surface area exceeding 125 square feet, which is used or intended to be used for swimming, wading, bathing, immersion, or partial immersion of human beings and which is constructed, installed, and maintained in or above ground.

**TAVERN.** A commercial establishment serving alcoholic beverages for consumption on the premises and for which food may be provided as an accessory to the principal use.

**THEATER.** A building or part of a building devoted to the showing of moving pictures or theatrical productions on a commercial basis.

**THEATER, OUTDOOR DRIVE-IN.** An open lot or part thereof which, with its appurtenance facilities, are devoted primarily to the showing of moving pictures or theatrical productions on a commercial basis to patrons seated in automobiles or on outdoor seats.

**TRUCKING FIRM.** Land or buildings used as a storage area and dispatch for commercial vehicles, and such buildings may be used for the repair of the commercial vehicles associated with the trucking firm.

**USE.** Any purpose for which a building or other structure, or a lot or parcel may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a lot or parcel.

**USE, PERMITTED.** Any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements of these regulations for the district in which such use is located.

**USE, PRINCIPAL.** The primary purpose or function that a lot serves or is proposed to serve, distinguished from an accessory use. A Principal Use may either be permitted or special.

**VARIANCE.** A deviation from the regulations or standards adopted by this chapter which the Board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property, lot, structure, or premises for which the variance is sought.

**VETERINARIAN CLINIC.** A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care as an accessory use.

**VIDEO GAMING PARLOR.** An establishment or business whose primary purpose is to operate video gaming terminals as defined under the Illinois Video Gaming Act, and in which the sale of goods or snacks and alcoholic beverages is only incidental to the operation of the video gaming terminals.

**WAREHOUSE, DISTRIBUTION.** A use engaged in storage, wholesale, and distribution of goods or materials to another location for the purpose of resale or use at the place distributed to. Warehouse, Distribution shall not include an Adult Cannabis transporting organization or transporter.

**WAREHOUSING, MINI STORAGE.** An establishment whose primary purpose is to provide space to the general public that may be used for the storage of goods and/or materials and made up of groups of individual units contained within one or more structures.

**WINDOW.** An opening in an exterior wall of a building, other than a door, which provides all or part of the natural light or ventilation or both, to an interior space.

**YARD.** An open space, other than a court, of uniform width or depth on the same lot with a structure, lying between the structure and the nearest lot line, and is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards.



**YARD, FRONT.** A yard extending across the full width of the front lot line between side lot lines and from the front lot line to the front of the principal structure. (See also **LOT LINE, FRONT.**)

**YARD, REAR.** A yard extending across the full width of the rear lot line and lying between the rear lot line and rear of the principal structure. (See also **LOT LINE, REAR.**)

**YARD, SIDE.** A yard extending between the side lot line and the side of the principal structure on both sides of the principal structure extending between the front and rear yards. (See also **LOT LINE, SIDE.**)

**ZERO LOT LINE.** The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line.

**ZONING BOARD OF APPEALS (ZBA).** The Zoning Board of Appeals of Tazewell County, Illinois.

**ZONING DISTRICT.** An area or areas within the unincorporated portions of the county that have been designated as set forth on the zoning district map.

**ZONING DISTRICT MAP.** The official zoning maps or series of official zoning maps, showing zoning district boundaries of the county.

**ZONING LOT.** A single property, parcel, unit, tract, plot, or otherwise designated portion of land, having metes and bounds, which is designated by its owner or developer as a property, parcel, unit, tract, plot, or otherwise designated portion of land which is to be used, developed, or built upon as a unit under single ownership or control, and which is occupied or capable of being occupied by one or more structures and the accessory structures. A Zoning Lot may or may not coincide with a lot of record.

(Prior Code, 7 TCC 1-2(b)) (Ord. LU-17-14, passed 11-15-2017; Ord. LU-18-11, passed 8-29-2018)