

Appendix A - Definitions

The words “shall”, “will” and “must” are mandatory and not discretionary. The word “may” is permissive.

Abandonment. To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Abutting. Having a common lot or property line with another track of land, as well as land parcels which are next to each other, contiguous, or touching, or being separated from such a common border by a right-of-way, alley, or easement.

Administrative. An individual, partnership, corporation or other entity which manages, directs, or supervises the execution, application or conduct of persons or things.

Affected Land (by Surface Mining). The area of land from which overburden is removed for surface mining or upon which overburden is deposited; that area used for a processing plant, stockpile area and that area of land utilized for drainage, ditches, haulage, roads, and settling pond impoundments which are constructed, created, extended, enlarged or expanded.

Agricultural Use. Land upon which plants are produced by tilling the soil or through floriculture, horticulture, mushroom growing, nurseries, orchards, or forestry; or when animal feeding of livestock, including poultry, swine, sheep, cattle, horses or other equines, fur-bearing animals, caprine, fish and wildlife or when agricultural experimental activities are being conducted or when land lies fallow and these activities compose the principal use of land.

Agritourism. Agritourism allows certain commercial operations relative to farming or traditional agricultural uses which may be developed to attract tourists and visitors to a particular parcel of property. Such operations include corn mazes, fall pumpkin sales and festivals, flea markets, storytelling festivals, haunted houses, butterfly houses, hayrides, Christmas tree sales and festivals, sales of farm grown or produced products, farming or agricultural demonstration activities and the like. As part of the aforementioned Agritourism activities on a parcel of property, it is expected that there would be certain sales of goods and merchandise which are not produced as part of or incidental to agricultural or Agritourism operations including, but not limited to, souvenirs, t-shirts and items of clothing, food sales or products, and the like. For a particular enterprise being conducted on property zoned for Agritourism uses, the income earned from goods and merchandise which is not incidental to the Agritourism use on a particular property shall not exceed 30% of the gross income attributable to the particular element of the Agritourism business.

For any festival which is not incidental to an Agritourism use provided herein, such as a flea market, music festival, play exhibition, performance, competition, musical, sporting event, concert show or the like which occurs on a property (e.g., Country Thunder, radio promotional event, or county

fair type events), the property owner shall be required to obtain a temporary use permit from the Village and pay all fees and shall comply with all Village codes, regulations and conditions and pay all fees required for additional police and other public safety agencies.

Amateur Radio Antenna. Any antenna which is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communication Commission.

Animals, Farm. Any animals customarily raised on farms including, but not limited to, alpacas, bison, burros, cattle, chickens, donkeys, ducks, emus, geese, goats, horses, llamas, mink, mules, ostriches, rabbits, sheep, swine and turkeys. *(Revised Ord. 2023-15)*

Apiary. A place where one or more bee colonies are kept. Apiaries shall include hives or other structures intended or used for the housing of a bee colony. *(Revised Ord. 2014-10)*

Arcade. Any building or structure where coin-operated amusement devices, as that term is defined in the Spring Grove Zoning Code, are located.

Arena, Enclosed. A building or structure housing a platform, ring, area, or the like for sports.

Art Gallery. A business engaged in the sale, loan, and/or display of paintings, sculptures, photographs, video art, or other works of art. Art Gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculptures, photographs, video art, or other works.

Athletic Field (Private). An open area of land under private ownership wherein facilities are provided for athletic sports or activities includes bars and such establishment.

Auction House. A building or structure, or area within such a building or structure, used for the public sale of goods, wares, merchandise, or equipment to the highest bidder. This definition excludes temporary auctions, such as those conducted for the purpose of disposing of an estate or livestock.

Automobile

- **Car Wash.** A structure, or portion thereof, containing facilities for washing automobiles and/or trucks, and which may utilize production-line methods such as a conveyor, blower, steam-cleaning device, or other mechanical device, and may include detailing services.
- **Rental.** A business that provides rental of new or used automobiles, including panel trucks and vans, and may include repair of the fleet vehicles as an ancillary use. *(Revised Ord. 2023-15)*
- **Repair, Major.** A business that provides services in engine rebuilding, major reconditioning of worn or damaged motor vehicles, motorcycles, all-terrain vehicles (ATV), recreational vehicles and trailers, towing and collision service, including body, frame or fender straightening or repair, and painting of motor vehicles, and may include minor auto repair services. *(Revised Ord. 2023-15)*

- **Repair, Minor.** A business that provides services in minor repair to motor vehicles, motorcycles, all-terrain vehicles (ATV), including repair or replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel servicing, alignment and balancing, repair and replacement of shock absorbers, and replacement or adjustment of mufflers and tail pipes, hoses, belts, light bulbs, fuses, windshield wipers/wiper blades, grease retainers, wheel bearings, and the like. Minor Repair excludes any activities specified under “Automobile Repair, Major”. (*Revised Ord. 2023-15*)
- **Sales.** The use of any building or premises for the storage and display for sale and lease of more than two passenger motor vehicles, trucks, or motorcycles, where repair and body work are incidental to the operation of the new or used sales activity and where a showroom is provided. The exterior display for sale or lease of such vehicles may occur as an accessory use provided it is on an open, dust-free, paved surface.
- **Self-Service Fueling Center.** An establishment where gasoline or other motor fuel is stored and dispensed from fixed equipment into the fuel tanks of motor vehicles by persons other than a service station attendant. Other convenience items may be offered for retail sale as accessory to the principal use of fuel. Subject to the special use requirements of this Ordinance, a freestanding automatic car wash may be accessory to the principal use.
- **Storage.** A building designed or used exclusively for the storage of automobiles, and in which motor fuels and oils are not sold and motor vehicles are not equipped, repaired, hired, or sold.

Barber/Beauty Shop/Day Spa. An establishment which provides state licensed, professionally administered hair care, massage, and body treatment services. Barber/Beauty/Day Spa services may include, but are not limited to, cuts, coloring, styling, manicure, and pedicure services, make up consultation and application, body tanning, body wraps, skin exfoliation, electrolysis, body toning, waxing, aromatherapy, and facial treatments. Barber/beauty shop/day spas shall not be sexually oriented businesses, as are otherwise defined in the Municipal Code.

Bed and Breakfast Inn. An operator-occupied residence providing accommodations for a charge to the public with no more than three (3) guest rooms for rent, in operation for more than ten (10) nights in a twelve (12) month time period. Breakfast or similar edible refreshments may be provided to guests only. B&B establishments shall not include hotels, motels, boarding houses, or food service establishment.

- **Guest.** Any person or persons staying in a B&B guest room overnight and on a transient basis, but for not more than fifteen (15) consecutive days, and having a permanent residence at an address other than that of the B&B establishment.
- **Operator.** The owner of the B&B establishment, or the owner’s agent, who is required to reside in the B&B establishment.
- **Guest Room.** A sleeping room within a B&B establishment intended to serve no more than two (2) transient guests per night.

Boarding House. A building, other than a hotel or restaurant, where meals or meals and lodging are provided for compensation for more than 1 week for 5 or more persons who are not members of the keeper’s family or of the same family by virtue of blood or marriage or of the same family.

Buffer. A type of landscaping treatment in which a variety of plants, including understory trees and evergreens, and earthen mounds, provide a visual barrier between adjoining land uses and from other impacting uses, such as roadways, parking lots, etc.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

- **Accessory.** A subordinate building customarily incidental to and located on the same lot occupied by the main use or building.
- **Main.** A building in which the principal use of the site is conducted.
- **Nonconforming.** A building or structure the size, dimensions, or location of which was lawful prior to the effective date of this Ordinance, 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.
- **Setback.** Refers to matters of spatial definition and shall mean the mandatory distance between a property line, right of way line, or center of a street and the closest wall of a structure.
- **Temporary.** A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

Building Materials. Those supplies used by tradesmen and homeowners to construct or repair structures. Building materials include, but are not limited to lumber, siding, sheeting, roofing shingles, gutters, outdoor hardscape materials and the like.

Cannabis. “Cannabis” set defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cannabis Business Establishment. A “cannabis business establishment” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended, and such other cannabis business establishments authorized under the Act, as amended.

Cannabis Craft Grower. A “craft grower” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cannabis Cultivation Center. A “cultivation center” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cannabis Dispensary. A “dispensing organization” and “dispensary” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cannabis Infuser. An “infuser organization” or “infuser” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cannabis Processor. A “processing organization” or “processor” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cannabis Transporter. A “transporting organization” or “transporter” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended.

Cemetery. Land and structures such as columbaria, mausoleums, and crypts used or intended to be used for the burial of animals or humans. Cemeteries may include structures for performing religious ceremonies related to the entombment of the deceased as well as accessory structures, such as sheds for the storage of maintenance equipment. (*Revised Ord. 2023-15*)

Child Care

- **Child Care Facility (3 or less children).** The provision of supplemental parental care and supervision for 3 or less non-related children, on a regular basis.
- **Commercial Daycare Facility.** A licensed child care facility which regularly provides daycare for less than 24 hours per day for more than 3 children in a facility other than a family home, including senior citizen buildings, per the State of Illinois Department of Children & Family Services (DCFS) Guidelines.
- **Home Daycare.** A licensed owner-occupied residence, where care, protection and supervision is provided for less than twenty-four hours a day for more than 3 children, but not to exceed 12 children, per the State of Illinois Department of Children & Family Services (DCFS) Guidelines. The number of children includes the family’s natural or adopted children and all other persons under the age of 12. The term does not include facilities, which receive only children from a single household.

Church or Place of Worship. 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, community food service, or Sunday school. (*Revised Ord. 2023-24*)

Clinic

- **Animal Hospital/Veterinary.** A place where animals are given medical or surgical treatment and where the boarding of animals shall be limited to short-term care incidental to the hospital or clinic use.
- **Medical.** A building used for the care, diagnosis, and treatment of sick, ailing, infirm or injured persons 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.

Club, Private (Non-Profit). A non-profit association, which owns, hires, or leases a building or portion thereof; the use of such premises being restricted to members and their guests.

Coin Operated Amusement Device. Any machine which, upon the insertion of a coin, currency, token, slug, debit card, credit card, or other electronic method of payment or upon the payment of any fee, operates or may be operated by the public generally as a game or contest of skill or amusement of any kind or description and which does not provide for any tangible payoff, reward or return of token or fee to the player. The term shall mean and include any pinball, video or computer game, ball table or marble machine or any other similar type of game, machine or table in which any ball, sphere, missile, arm, vehicle, crane, rod or plunger is struck, released, controlled or manipulated for the purpose of amusement or skill or any electrical machine or game controlled or manipulated for the purpose of amusement or skill and in which a test of skill is involved. The term also means and includes any machine vending recorded music or a period of radio or television entertainment in return for the insertion or deposit therein of a coin, currency, token or slug, debit card, credit card, or other electronic method of payment; provided, however, that this does not include coin operated radios or televisions within private quarters. The term also means and includes any billiard, pool table or bumper pool table, the operation of which is dependent upon the use of a coin to obtain balls. The term shall include any such game which is played with the use of a table, cue sticks and pool balls or billiard balls likewise dependent upon the use of any coin for payment, by automatic means.

Community Center. A building used for recreational, social, educational, and cultural activities, usually owned, and operated by a unit of government or a public non-profit group or agency.

Community Food Service. An establishment primarily engaged in the collection, preparation, and delivery of food for the needy. An establishment may also distribute clothing and blankets to the needy. An establishment may prepare and deliver meals to persons who by reason of age, disability, or illness are unable to prepare meals for themselves; collect and distribute salvageable or donated food; or prepare and provide meals at fixed or mobile locations. Food banks, meal delivery programs, and soup kitchens are included in this definition. *(Revised Ord. 2023-24)*

Comprehensive Land Use Plan. The official document that is adopted by the Village Board in accordance with 65 ILCS 5/11-12-5, et. seq., which sets forth the Village Board's general policies regarding the long-term physical development and redevelopment of the Village of Spring Grove.

Contiguous Land. A tract of land which shares all or a part of a common lot or property line with another tract of land, as well as land parcels which are next to each other, abutting, or touching, across the street, easement, and having a common boundary, or portion thereof, which is coterminous. Tracts of land connected by a point are not considered contiguous.

Convenience Store. Any retail establishment offering for sale food products, household items, and other goods commonly associated with the same and usually having a gross floor area of less than 7,000 square feet.

Density. The number of dwelling units that are allowed on an area of land, which area of land shall be permitted to include dedicated streets contained within the development.

- **Net.** The number of residential units per total acreage. Total acreage does not include streets, and unbuildable acreage such as flood plains, wetlands, or retention areas.

Discontinuation. The cessation or termination of a use or activity for a period of six (6) months (180 days), shall be classified as a discontinuation under the non-conforming use regulations set forth herein. The availability on the premises of public utilities, such as water, gas, electricity, or telephone, shall not be considered a continuance of the use or activity.

Drive-Up Facility. A business establishment developed so that all or part of its retail sales or service is provided to patrons while they are in a motor vehicle. A drive-up facility does not include mail or parcel collection boxes.

Energy Generating Station. A plant, facility, and equipment for the purpose of generating electric power.

Equestrian Accessory Building. An accessory structure or use with the principal and primary use for boarding of horses and related equine purposes.

Family. One or more persons related by blood, marriage, legal adoption or guardianship (as husband-wife, parent-child, grandparent-grandchild, or brother-sister) or not more than 3 persons not so related, together with gratuitous guests and domestic servants, occupying a dwelling unit as an individual housekeeping organization or as otherwise defined by the Federal Fair Housing Act as may be amended from time to time.

Farm Stand. A detached accessory building or structure from which agricultural products are sold on a seasonal basis.

Farmers Market. A public market at which farmers and other vendors sell produce and other farm products directly to consumers.

Financial Institution. A bank, credit union, currency exchange or personal loan agency.

Flea Market. A retail market that rents space to individual vendors who sell merchandise, such as antiques, used household goods, and knickknacks.

Frontage. The width of a lot or parcel abutting a public right-of-way measured at the front property line.

Funeral Home. A funeral establishment, funeral chapel, or mortuary which is a building or separate portion of a building having a specific street address or location and devoted to activities relating to the shelter, care, custody and preparation of a deceased human body and which may contain a chapel and facilities for the conduct of funeral or wake services and informal memorial gatherings. A funeral home may also include a single residence for an employee of the establishment and his or her immediate family. A funeral home shall not include a crematory or a building where cremation acts or services are performed. *(Revised Ord. 2014-08)*

Game. See "Coin Operated Amusement Devise".

Garage - Private. An accessory building or an accessory portion of the principal building, which is intended for and used for storing privately owned motor vehicles, boats and trailers of the family or residents on the premises, and in which no business, service or industry is carried on.

Garden Center. A place of business where plants, nursery products, fertilizers, potting soil, garden tools and utensils are sold to the public. The outdoor display, sales and storage of merchandise is only allowed with a special use permit.

Golf Course. A tract of land for playing golf, improved with tees, greens, fairways, water hazards and which may include buildings and shelters.

Golf Course – Mini. A commercial enterprise offering a small scaled representation of a golf course used for entertainment/recreational purposes.

Golf Driving Range. An area of land, including buildings or structures, intended solely for the practice of golf driving skills.

Greenhouse. A building, or structure used for the growing of plants, trees, flowers, and similar organic material, all or part of which are sold at retail or wholesale.

Group Dwelling

- **Handicapped.** A non-medical residential building housing not more than eight (8) service dependent or developmentally disabled people living with professional staff who function as surrogate parents or caretakers. A group home may house individuals who are undergoing treatment or rehabilitation and constitute a single housekeeping unit in which residents share responsibilities, meals, and recreation. Excluded from this definition are dwellings for persons whose treatment or rehabilitation arises from current use or addiction to a controlled substance as defined by the Illinois Compiled Statutes and dwellings whose residents are criminal offenders or past criminal offenders.

- **Long Term Care Facility.** A facility comprised of establishments primarily engaged in providing inpatient nursing and rehabilitative services. The care is generally provided for an extended period of time to individuals requiring nursing care. These establishments have a permanent core staff of registered or licensed practical nurses who, along with other staff, provide nursing and continuous personal care services. Long Term Care Facilities include convalescent homes or convalescent hospitals (except psychiatric), nursing homes, homes for the elderly with nursing care, rest homes with nursing care and inpatient care hospices.
- **Semi-Independent Group Residence.** A facility comprised of establishments primarily engaged in providing a range of residential and personal care services with on-site nursing care facilities for (1) the elderly and other persons who are unable to fully care for themselves and/or (2) the elderly and other persons who do not desire to live independently. Individuals live in a variety of residential settings with meals, housekeeping, social, leisure, and other services available to assist residents in daily living. Assisted-living facilities with on-site nursing care facilities are included in this type of facility.

Head Shop. A retailer other than a cannabis dispensary or medical cannabis dispensary engaged in the sale of “cannabis paraphernalia,” as defined in Section 1-10 of the Cannabis Regulation and Tax Act, as amended, or “drug paraphernalia,” as defined in Section 2 of the Drug Paraphernalia Control Act, as amended.

Health and Fitness Center. A building or portion of a building designed and equipped for the purpose of physical fitness, improved circulation or flexibility, weight control, or other customary and usual health and fitness activities, operated for profit, non-profit or not-for-profit. Customary and usual health and fitness activities may include, but are not limited to: group and individual weight training, aerobics, stretching, meditation, and instruction for these activities. This definition is distinguished from and exclusive of the definition for "Recreational Activity Club" contained in this section. This definition does not include dancing schools or studios, gymnastics studios or martial arts studios. This shall also include athletic clubs and municipal recreation buildings.

Health Department. McHenry County Department of Health.

Height

- **Accessory Structure.** The vertical distance from the average ground elevation to the highest point.
- **Building.** The vertical distance from the average ground elevation as measured from the middle of the front of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level which is located midway between the eaves and ridge for gable, hip or gambrel roofs. Chimneys, towers, spires, elevator penthouses, cooling towers and similar projections are not included in calculating building heights.

Home Improvement Center. An establishment where home improvement materials, including but not limited to, kitchen and bathroom accessories and fixtures, wall coverings, window coverings, heating, and air conditioning, plumbing and electrical supplies, painting and decorating materials, tools and residential construction and remodeling materials and supplies are sold for retail.

Home Occupation. The partial use of a dwelling unit for commercial or nonresidential uses by a resident thereof, which is subordinate and incidental to the use of the dwelling for residential purposes and which does not alter the exterior of the property or affect the residential character of the neighborhood.

Horse

- **Farm.** A building or structure and/or land whose operator keeps equines primarily for breeding and boarding and which operation may or may not be incidental to the owner's primary occupation.
- **Stable – Professional.** A structure and/or land in or on which an operator keeps equines primarily for board, training and giving lessons, but in no event are the equines rented to the public.
- **Stable (Private) – Non-Professional.** An accessory structure and/or land use 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.

Hotel. A building or structure designed for transient occupancy, consisting of rooms or suites accessible from an interior hall or entrance, providing living, sleeping and toilet facilities. Additional services such as restaurants, meeting rooms and recreational facilities may be provided.

Industrial

- **Light Industrial.** A zoning use which includes a range of manufacturing, warehousing, transportation, and wholesaling uses which are compatible with the character of the Village, subject to strict use limitations designed to prevent or minimize nuisance-type impacts, such as noise, odor, fumes or gases, dust, smoke, vibrations or fire hazards, upon adjacent district uses and which include sufficient controls to protect one industry from another. To mitigate impacts on the Village's visual character and to ensure a high-quality industrial park setting, landscape buffers, architectural and design controls shall be incorporated for light industrial uses. All industrial operations shall take place in an enclosed building and no outdoor storage is permitted without a special use permit. Types of industrial uses include such things as commercial light fabrication, assembly, warehouse, distribution and storage activities, machine shops and metal products manufacturer, when not equipped with heavy punch presses, drop forges and riveting machines, as well as associated office uses and certain other uses which are incidental to the principal ones.

- **Heavy Industrial.** Heavy industrial uses are those uses which by the nature of the use may result in some objectionable conditions to adjacent land uses and Village residents. A permitted industrial use which is not included in the definition of light industrial shall be a heavy industrial use. It is the policy of the Village to protect its existing and future land uses from undesirable intensive uses by requiring compliance with the buffering and performance standards contained herein. Heavy industrial uses are such uses which may negatively impact other uses and residents of the Village and include nuisances such as, but not limited to, noise, odor, fumes or gases, dust, smoke, vibrations, or fire hazards. All heavy industrial operations shall take place in an enclosed building and no outdoor storage is permitted without a special use permit.

Kennel. Any building or structure used or intended to be used for grooming, breeding, boarding, training, or selling of household pets as a business.

- **Commercial.** Any building or structure used or intended to be used for the housing of dogs or domesticated animals. Commercial activities may include, but need not be limited to public boarding, training, wholesaling of dogs or domesticated animals and sale of items or products related to dog or domestic animal care.
- **Private.** An accessory building or structure used or intended to be used for the housing of dogs or domesticated animals kept for the purpose of raising, breeding, training, exhibiting and sale. All dogs must be owned or co-owned or under contract to the owner or lessor of the site.

Laboratory. A building or group of buildings wherein scientific research, investigation, testing, experimentation, or housing of laboratory animals occurs; but not facilities for the manufacture or sale of products. It may include temporary pilot plant installations which are incidental to the main purpose of the facility.

Landfill. The disposal of solid or other wastes in a manner that may minimize environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste.

Landscape Business. A business that provides services designing, installing, planting, or maintaining yards, gardens, or other grounds, and where equipment, supplies, and plant material may be stored on-site. A landscape business includes: landscape installation, care, and maintenance services; hardscape installation and maintenance; lawn care services (i.e. fertilizing, mowing, seeding, sod laying, spraying); plant, shrub, and tree services (i.e. bracing, planting, pruning, removal, spraying, trimming); and seasonal property maintenance services (i.e. snow plowing and pavement de-icing in winter, landscaping during other seasons).

Laundromat. An establishment providing washing, drying, or dry-cleaning machines on the premises for rental use to the general public for personal or family laundering or dry-cleaning purposes.

Lot. A parcel of land that is part of a subdivision, the plat of which was recorded in the Office of the County Recorder of Deeds, or a parcel of land described by metes and bounds or by division making reference to the original government survey.

- **Area.** The area of a horizontal plane bounded by the front, side, and rear boundary lines of a lot.
- **Buildable Area.** That portion of a lot or parcel bounded by building setback lines.
- **Corner.** A lot contiguous to 2 streets at their juncture, when the interior angle formed is less than 135 degrees.
- **Coverage.** The amount of surface area of a particular lot that is covered or may be covered, by a building or structure, expressed as a percentage.
- **Frontage.** The length of any one property line of a premises which property line abuts a legally accessible street right-of-way. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage.
- **Interior.** A lot other than a corner lot.
- **Nonconforming.** A lot of record or recorded deed, the area, dimensions, or location of which was lawful prior to the effective date of this Ordinance, or subsequent amendments thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.
- **Width.** The horizontal distance between the side lot lines, or a side lot line and a street right-of-way on a corner lot, as measured along the yard abutting a street setback line.
- **Zero Lot Line.** The location of a building on a lot in such a manner that one or more of the building's side(s) rests directly on the lot line.
- **Zoning.** A parcel or lot or combination thereof or fractions thereof considered or treated as a single unit that meets the requirements of the zoning district in which it is located and the other requirements of this Ordinance.

Lumber Yard. An establishment where the principal activity is the retail and wholesale of wood products and generally involving outdoor storage of building materials and supplies.

Massage Therapy Center. A facility where services are provided for the treatment or manipulation of the human body administered by a medical practitioner, chiropractor, acupuncturist, massage therapist, physical therapist, or similar trained and licensed professional for health purposes.

Medical Cannabis Cultivation Center. A “cultivation center” as defined in Section 10 of the Compassionate Use of Medical Cannabis Program Act, as amended.

Medical Cannabis Dispensary. A “medical cannabis dispensing organization”, or “dispensing organization”, or “dispensary organization,” as defined in Section 10 of the Compassionate Use of Medical Cannabis Program Act, as amended.

Minimum Floor Elevation. The lowest elevation permissible for the construction, erection or other placement of any floor including a basement floor.

Minimum Street Setback. The minimum distance that the closest wall of a building or the closest point of a use must be separated from the property line, right of way line or centerline of a street, as set forth in this Ordinance.

Mobile Home. A detached single-family dwelling unit designed and used exclusively for residential occupancy with plumbing and electrical connections for attachment to outside systems but designed to be transported after fabrication on its own wheels or on a flat-bed trailer and to be ready for occupancy at its site except for minor and incidental unpacking, assembly, and connection operations.

Mobile Home Park (Trailer Park). An area of land upon which 2 or more permanent or transient mobile homes are harbored, either free of charge or for revenue purposes, including any building, structure, tent, vehicle, or enclosure used or intended to be used as part of the equipment or facilities of such mobile home park.

Municipal Uses. Those uses of the village related to the services provided by the village including, but not limited to, water and sewer services and appurtenant structures, street and property maintenance operations, municipal offices, parks, detention and drainage ways and the like.

Museum. A building used for the preservation and exhibition of artistic, historical, or scientific objects.

Nursery. Land or structure(s) or a combination used to raise flowers, shrubs, trees, and other plant materials for sale.

Office. A room, group of rooms, or premises used for conducting the business and clerical affairs of a business, profession, service, industry, or government.

On-Premises Cannabis Consumption Establishment. A cannabis dispensary or retail tobacco store (as defined in Section 10 of the Smoke Free Illinois Act) authorized or permitted to allow the on-premises consumption of cannabis.

Open Space. Land areas that are not occupied by buildings, structures, parking areas, streets, alleys or required yards. Open space shall be permitted to be devoted to landscaping, preservation of natural features, patios, and Village and school owned recreational areas and facilities and athletic fields.

Outdoor Display. The outdoor display of products actively available for sale. The outdoor location of soft drink or similar vending machines shall be considered outdoor display. Outdoor display shall not include merchandise or materials in boxes, in crates, on pallets or other kinds of shipping containers (such merchandise shall be considered outdoor storage).

Outdoor Storage. The placing of any goods, wares, merchandise, commodities, junk, debris, construction materials or equipment, agricultural materials or equipment, residential materials or equipment, or any other item outside of a completely enclosed building for a period longer than forty-eight (48) hours.

Overlay District. A type of zoning district that modifies another underlying zoning district. Property having an overlay district designation also has an underlying basic zoning designation. The overlaying zoning designation has a set of regulations which add an additional layer of design provisions and approval procedures to an underlying zoning district.

Parcel. A parcel of land that is part of subdivision, the plat of which was recorded in the Office of the County Recorder of Deeds, or a parcel of land described by metes and bounds or by division making reference to the original government survey.

Park. A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

Pawn Shop or Pawn Broker. Any person, firm, corporation or other entity which loans money on deposit, or pledge, of personal property, or who deals in the purchase of personal property on condition of selling the same back at a stipulated price, or who makes a public display at his place of business of a sign generally used by pawn shops or pawn brokers to denote their business.

Person. A natural person, heir, executor, administrator, or assign, and includes a firm, limited liability company, partnership, corporation, or other business entity, its or their successors or assigns, or the agent of any of the aforesaid.

Pet. A dog, cat, rabbit, bird, etc., for family use only (noncommercial) with cages and pens.

- **Day Care.** Any building or structure used or intended to be used as a facility where care and supervision of more than 2 pets not owned by the owner, tenant or occupant is provided during the hours of 6:00 a.m. and 8:00 p.m. during any 1 day. Overnight boarding is prohibited at Pet Day Care facilities.
- **Grooming.** An establishment where domestic dogs and cats may have their bodies washed, their fur trimmed and brushed, nails clipped and the like. Services at a pet grooming establishment shall not include overnight boarding or care rendered by a veterinarian.
- **Training Facility.** An institution that trains pets (particularly dogs) how to behave properly.

Pharmacy. A store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies and nonprescription medicines but where nonmedical products are sold as well.

- **Non-Retail Pharmacy.** A non-retail pharmacy is a pharmacy which ships, delivers, dispenses, or distributes by any means, other than at retail or for pickup by customers, any drugs, medicines, pharmaceutical services, or devices requiring a prescription issued by a physician or other authorized prescriber.

Planned Unit Development (PUD). A residential or commercial development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

Planning and Zoning Commission. The Village of Spring Grove Planning and Zoning Commission (PZC).

Public Improvement. Any drainage ditch, storm sewer or drainage facility, sanitary sewer, water main, roadway, parkway, sidewalk, pedestrian way, bicycle way or path, tree, lawn, off street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or for which the local government responsibility is established.

Public Utility Company. A structure or facility used by a public or quasi-public utility agency to store, distribute, and generate general electricity, gas, telecommunications, and related equipment, or to pump or chemically treat water. This does not include storage or treatment of sewage, solid waste, or hazardous waste or any such facility which is owned or operated by the Village.

Recreational Activity Club. A building or portion of a building designed and equipped for the conduct of specific sports, or the training of or for specific sports, leisure, or other customary and usual recreational activities, operated for profit, non-profit or not-for-profit. Customary and usual recreational activities may include, but are not limited to: baseball, basketball, racquetball, softball, soccer, squash, swimming, and tennis. This definition is distinguished from and exclusive of the definition for "Health and Fitness Center" contained in this section. This definition does not include dancing schools or studios, gymnastics studios or martial arts studios.

Recreational Vehicle. A vehicular type unit primarily designed as temporary living quarters in conjunction with camping, recreation, or travel use which either has its own mode of power or is mounted on or drawn by another vehicle, including travel trailers, camping trailers, truck campers, boats on or off trailer, motor homes, or any other vehicle with state RV, RT, TB, or TA license plates.

Recycling Facility. Any location whose use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled, including but not limited to, scrap metals, paper, rags, tires, bottles, yard waste and other such materials.

Recycling Collection Point. An incidental use that serves as a neighborhood drop-off point for used, waste or scrap materials for transport to a recycling or other facility. No processing of such items is allowed. This facility is generally located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools.

Residential Dwelling. A building designed for residential occupancy as its principal use exclusive of mobile homes, recreational vehicles, hotels, or motels.

- **Attached Single Family.** A building consisting of dwelling units each of which is attached by common vertical wall to at least one other dwelling unit, with each dwelling unit having a separate exterior entrance and constructed at grade, and found in rows or clusters of eight (8) or less dwelling units. This term shall include, but is not limited to, the following: townhouse, rowhouse, duplex, three-plex, and four-plex.
- **Detached Single Family.** A dwelling which is a detached building containing only 1 dwelling unit.
- **Multi-Family Dwelling.** A building containing 2 or more dwelling units used for residential occupancy.

Restaurant. An establishment that sells prepared food for consumption.

- **Banquet-Recreation/Conference Facility.** An establishment with the capability of accommodating groups for banquets, limited recreation, conferences, meetings, receptions, and the like.
- **Beer Garden.** A permanent establishment which includes a fenced outdoor area in which alcoholic beverage or food are served.

Retail – General. Establishments that engage in the sale of general retail goods, general merchandise and/or convenience goods and services, which do not generate noise or other impacts considered incompatible with less intense uses. General Retail establishments exclude any business that dispenses cannabis, cannabis infused products, paraphernalia, or related supplies, see cannabis dispensary. (*Revised Ord. 2023-15*)

Retaining Wall. A structure that holds or retains soil behind it and prevents it from sliding or eroding way.

Right-of-Way, Public. Any street, alley, other land, or waterway, dedicated or commonly used for pedestrian or vehicular traffic or other similar purposes, including utility easements, in which the Village has the right and authority to authorize, regulate or permit the location of facilities other than those of the Village. "Right-of-way" or "Rights-of-way" shall not include any real or personal Village property that is not specifically described in the previous two sentences and shall not include Village buildings, fixtures and other structures or improvements, regardless of whether they are situated in the right-of-way.

Roadside Stand. A temporary structure , trailer or tent not erected on a foundation, for the sale of seasonal whole, uncut fresh produce, not customarily sold on a year-round basis.

Satellite Dish Antenna. A device or instrument designed or used for the reception of television or other electronic communications signal broadcast or relayed from an earth satellite. It may be a solid, open mesh or bar-configured structure in the shape of a shallow dish or parabola.

School

- **Private.** Any building or group of buildings, the use of which meets State of Illinois requirements for primary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.
- **Public.** Any building or part thereof which is designed, constructed, and used for education or instruction in any branch of knowledge and which is funded by a government.

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

Storage Facility. A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customers goods or wares.

Shipping Container. Any temporary shipping or storage container, whether mobile or not, in which goods or items of personal property may be stored or kept.

Shooting Range – Indoor. A facility designed for the purpose of providing a place for the discharge of various types of firearms completely within an enclosed building, including shooting stations, firing lanes, target areas, baffles, safety fans, shot fall zones, structures, parking areas, and other associated improvements. Such facilities may also conduct incidental firearm sales, gunsmithing, light manufacturing of firearms, and ammunition loading. (*Revised Ord. 2014-17*)

Sign. Any object, device, or structure, or part thereof, located inside or outside an establishment, which is used to advertise, identify, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, designs, symbol fixtures, colors, motion, illumination or project images. The term sign includes, but is not limited to, projecting, ground, wall, window, awning, canopy, marquee and changeable copy signs, marquee signs, illuminated signs, flashing and animated signs, temporary signs, portable signs, pennants, banners, streamers, search lights or any other attention-getting device or display either affixed to or separate from a building or structure.

Solar Energy System (SES). A system for which the primary purpose is to convert solar energy into thermal, mechanical, or electrical energy for storage and use and reduction of on-site consumption of utility power.

Solar Energy System, Ground Mounted. A free-standing system not attached to another structure and that is ground mounted on a rack or pole that is attached to the ground.

Solar Farm. A commercial facility that converts sunlight into electricity, whether by photovoltaics, concentrating solar thermal devices, or other conversion technology, for the primary purpose of wholesale sales of generated electricity.

Solar Panel. A group of photovoltaic cells assembled on a panel. Panels are assembled on-site into solar arrays.

Sports/Recreation Complex. An indoor or outdoor facility which provides accommodations for a variety of individual or team recreational and sporting activities, including organized and franchised sports. A “sports complex, recreation complex” may include but is not limited to baseball/softball, basketball, football, golf, ice hockey, soccer, swimming, tennis, track and field events, volleyball, wrestling, and appropriate accessory uses.

Stacking Requirements. The number of cars that must be accommodated in a reserved space while awaiting ingress or egress to specified businesses, service establishments, or parking lots.

Story. That portion of building included between the upper surface of any floor and the upper surface of the floor next above, except that the top most story shall be that portion of a building included between the upper surface of the top most floor and the ceiling or roof above. If the finished floor level directly above or usable or unused underfloor space is more than 6 feet above grade as defined herein for more than 50 percent (50%) of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused underfloor space shall be considered a story.

Street. A vehicular way which:

- A. is an existing State, County, Township or Village roadway, or
- B. is shown upon a plat approved pursuant to law.

Structural Alteration. Any change in the supporting members of a building, such as foundation walls, bearing walls or partitions, columns, beams or girders or any substantial change in the roof or in the exterior walls, excepting routine repairs as may be required for the safety, maintenance and upkeep of the building or structure.

Structure. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite matter.

Subdivision. The division of any tract or parcel of land into 2 or more lots, parcels, plots, or other divisions of land.

Surface Mining. The mining of any minerals by removing the overburden lying above natural deposits thereof, and mining directly from the natural deposits thereby exposes or the deposition of overburden therefrom.

Teen Club. A club designed primarily for individuals under 21 years of age to gather for entertainment and socializing and where food and non-alcoholic beverages may be served on premises. Such a use shall not include uses operated by public agencies or private charitable organizations, such as church youth centers or community youth centers provided for recreation or assembly.

Theater. An indoor or outdoor facility used for the presentation of live stage productions, performances, or motion pictures.

Truck. Every motor vehicle designed, used, or maintained primarily for the transportation of property.

Use. The activity occurring on a lot or parcel for which land or a building is arranged, designed, or intended, or for which land or a building is or may be occupied, including all accessory uses.

- **Accessory.** A use conducted on the same lot as the primary use of the structure to which it is related; a use that is clearly incidental to, and customarily found in connection with, such primary use.
- **Change of.** The change within the classified use of a structure or premises.
- **Existing.** The use of a lot or structure at the time of the enactment of this Ordinance.
- **Nonconforming.** A use that lawfully occupied a building or land at the time this Ordinance became effective, which has been lawfully continued and which does not now conform to the use regulations.
- **Principal.** A use that fulfills a primary function of a household, establishment, institution, or other entity.
- **Special.** A use that would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions. As otherwise authorized or provided

by this Ordinance.

- **Temporary.** A use that is authorized by this Ordinance to be conducted for a fixed period of time.

Variance. Dispensation of the dimensional regulations of the Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of this code would result in unnecessary and due hardship as otherwise authorized or provided by this Ordinance. A divergence from the Zoning Ordinance bulk, loading, parking or other requirements.

Village. The Village of Spring Grove, Illinois.

Wall. The vertical exterior surface of a building or the vertical interior surfaces which divide a building's space into rooms.

Warehouse or Wholesale Storage. A building or premises in which goods, merchandise or equipment are stored for eventual distribution.

Watercourse. Any natural or artificial watercourse, stream, river, draw, creek, ditch, channel, canal, conduit, culvert, drain, waterway, swale, gully, ravine, or wash in which water flows in a definite direction of course, either continuously or intermittently, and which has a definite channel, bed and banks and shall include any area adjacent thereto, subject to inundation by reasons of overflow or floodwaters.

Winery/Brewery/Distillery. A facility for the production of wine, beer, or spirits. If permitted by Village liquor licenses, a winery/brewery/distillery may include ancillary uses, such as tasting rooms, and retail sale of wines, beers and spirits produced on-site.

Yard. An open space, on the same zoning lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this Ordinance, and which extends along a lot or parcel line and at right angles thereto to a depth or width specified in the bulk regulations for the zoning district in which the zoning lot is located.

- **Front.** A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto.
- **Rear.** A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line or ordinary high-water line and a line parallel thereto.
- **Side.** An open, unoccupied space on the same lot with the building and between the building and the building line and the side lot line, or the ordinary high-water line.
- **Transitional.** The process or an instance of changing from one form, state, activity, or place to another.

Zoning District. An area or areas within the Village of Spring Grove for which the regulations and requirements governing use, lot size, building bulk, setbacks and other conditions of use are uniform.

Zoning Enforcement Officer. The Building Inspector for the Village, who is responsible for enforcing this Ordinance. (ZEO)

Zoning Map. The map or maps incorporated into this Ordinance and made a part thereof which designated various zoning districts.