

ARTICLE II. - DEFINITIONS

Sec. 37-17. - Definitions—C.

Caliper shall mean a measurement of the size of a tree equal to the diameter of the trunks measured eighteen (18) inches above natural grade.

Canopy shall mean an architectural projection that provides weather protection and is supported by the building to which it is attached and the outer end by not less than two (2) stanchions. A canopy is comprised of a rigid structure over which a rigid covering is attached. The awning or canopy may provide a business sign or identification, or decoration of the structure which it is attached to. A canopy shall have a projection of no less than two (2) feet and is comprised of a rigid structure over which a rigid covering is attached.

Carport, freestanding shall mean a freestanding roof structure open on all sides intended to provide protection for motor vehicles parked below. For purposes of signage, signs on freestanding carports shall be treated as wall signs.

Cat Kennel see "Kennel, Cat".

Cellar shall mean a story of building having more than three-fourths ($\frac{3}{4}$) of its height below the level of the finished grade at all points on walls facing front and side yards.

Cemetery shall mean land used or intended to be used for the burial of dead human or dead animals and dedicated for cemetery purposes.

Certificate of Appropriateness shall mean a certificate issued by the Historic Preservation Commission verifying its review and indicating its approval of plans for the alteration, relocation, construction, removal, or demolition of a landmark or building within a Conservation or Historic District as defined by this article.

Certificate of Economic Hardship shall mean a certificate issued by the Historic Preservation Commission authorizing an alteration, relocation, construction, removal, or demolition of a landmark or building within a Conservation or Historic District for which a Certificate of Appropriateness has previously been denied, but for which economic hardship has been determined.

Chapter shall mean "Chapter 37, Zoning" of the Champaign Municipal Code.

City shall mean the City of Champaign, in the County of Champaign and State of Illinois.

City Attorney shall mean the Attorney of the City of Champaign or designee.

City Council shall mean the Council of the City of Champaign.

City Engineer shall mean the Engineer of the City of Champaign or designee.

City Forestry Supervisor shall mean the Forestry Supervisor of the City of Champaign or designee.

City limits or in the City shall mean property within the corporate City limits of the City of Champaign.

City Manager shall mean the Chief Administrative Officer of the City. "Manager" shall also mean City Manager.

Clerk shall mean City Clerk.

Clinic shall mean a place used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured persons and those who are in need of medical or surgical attention, but who are not provided with board or kept overnight on the premises.

Clinic, animal shall mean a place used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals and those animals who are in need of medical or surgical attention. Animals may be boarded or kept overnight on the premises.

Club, country shall mean a membership organization whose facilities are available for use only by its dues paying members and their guests. The term shall include private country clubs that have at least a nine-hole golf course.

Cluster development shall mean a form of planned development that permits a reduction in lot area, provided that the overall floor area ratio and open space requirements comply with the requirements in this article, and overall density levels are maintained. The clustering of dwelling units in one (1) area on smaller lots allows the preservation of environmentally sensitive features and areas that can be dedicated to common open space.

Code shall mean the "City of Champaign Municipal Code, of 1985," as amended. Also referred to as "Municipal Code," "Champaign Municipal Code," and "City Code."

Code Enforcement Superintendent, Superintendent of Code Enforcement, and Director of Building Safety shall mean and refers to the Director of the Building Safety Division of the Fire Department whenever it appears in this Code.

Collector street. See "Street, collector."

College shall mean an educational institution authorized by the State to award associate, baccalaureate, or higher degrees.

Commercial feed lot shall mean any tract on which the principal use is the concentrated or forced feeding of livestock, fish, fowl, or other animals for the sale of such animals or the sale of products derived from such animals.

Commercial motor vehicle shall mean a vehicle weighing over 10,000 pounds and designed to carry cargo or 15 or more passengers.

Commercial recreation, indoor shall mean establishments where recreational or sporting activities are carried on completely indoors and operated by a commercial for profit operation. Such establishments may include, but not be limited to, bowling alleys, dance halls, skating rinks, racquet clubs, indoor swimming pools, gyms, and other similar facilities. Commercial recreation facilities do not include facilities owned and operated by a governmental agency and open to the general public.

Commercial recreation, outdoor shall mean establishments where recreational or sporting activities that are conducted outdoors and operated by a commercial, for profit operation, or for private membership. Such establishments may include, but not be limited to, miniature golf, batting cages, go-cart tracks, stables and other similar operations. Commercial recreation facilities do not include facilities owned and operated by a governmental agency and open to the general public.

Commercial service shall mean retail establishments that primarily render services rather than goods. Such services may include, but not be limited to, copy shops, printing services, package and postal services, photo processing, janitorial services, and similar operations.

Commission shall mean the Historic Preservation Commission of the City of Champaign.

Common lot line dwellings. See "Dwelling, common lot line."

Community living facility shall mean a dwelling unit operated to provide supervision, food, lodging, or other services to a service dependent population as herein defined, living and cooking together in a single cooperative housekeeping unit, consisting of:

- (a) A basic group of members of a service dependent population.
- (b) Additional staff persons providing supervision of service to the basic group.

Community facility. A noncommercial use established primarily for the benefit and service of the population of the community or region in which it is located including schools, community colleges and universities.

Community living facility, Category I (CLF1) shall mean a community living facility with a basic group limited to not more than four (4) service dependent individuals plus a maximum of two (2) resident (live-in) staff at any given time, subject to a higher number of staff if required to meet State or Federal regulations.

Said facility is intended for permanent placements, and shall not be for crisis or short-term, transient placements.

Community living facility, Category II (CLF2) shall mean a community living facility with a basic group limited to not more than eight (8) service dependent individuals plus a maximum of two (2) resident (live-in) staff at any given time, subject to a higher number of staff if required to meet State or Federal regulations. Said facility is intended for permanent placements, and shall not be for crisis or short-term, transient placements.

Community living facility, Category III (CLF3) shall mean a community living facility with a basic group limited to not more than sixteen (16) service dependent individuals plus staff. Said facility may be used for temporary or permanent placement of service dependent individuals.

Conforming use shall mean any use of a structure or land which is a permitted, or approved provisional or special use in the district in which the structure or land is situated and which conforms to the regulations of that district and all other regulations of this chapter. Also see Article XII, Nonconformities, for further definitions.

Conservation district shall mean an area designated as a "Conservation District" by ordinance of the City Council which contains buildings or sites within definable geographic boundaries that, while not of such historic and/or architectural significance to be designated as a landmark or included within a Historic District, nevertheless are characterized by sound housing or commercial buildings that contribute to the visual characteristics or distinctive atmosphere of the neighborhood in which such property is located.

Construction shall mean any act or process which requires a building permit and which adds an addition onto an existing building or erects a new principal or accessory structure on a lot which is subject to the design standards for the district in which the property is located.

Contractor shop shall mean the buildings and land associated with a business engaged in and/or providing goods and/or services to the construction trades (plumbing, electrical, cabinetry, carpentry, and masonry contractors, etc.) or service trades (landscaping, exterminating, commercial cleaning, and painting contractors, etc.) Activities which are associated with a contractor shop may include merchandise showrooms; materials storerooms; yards for the storage of vehicles, large equipment and materials, or other similar activities. A contractor shop may engage in the sale of construction materials, tools and contracting equipment to contractors and the repair and maintenance of contractor tools and equipment. The revenue from sales of merchandise on site directly to the general public shall not be more twenty-five (25) percent of a contractors shop's income.

Contributing building shall mean a building, site, structure, or object that adds to the historic association, historic architectural quality, or cultural values because it was present during the period of significance, relates to the documented significance of the property, and possesses historic integrity, or is capable of yielding important information about the period.

Convenience store shall mean a retail store selling predominantly food items that has a total floor area of the use less than ten thousand (10,000) square feet.

Cornice shall mean a horizontal molded projection that crowns or completes a building wall, or provides a delineation between floors.

Council shall mean the governing body of the City, the Champaign City Council.

County shall mean Champaign County, Illinois.

Courtyard shall mean an open, uncovered and unoccupied space, other than a yard, which is bounded in whole or in part by the walls of a building.

Currency exchange shall mean a commercial use, which exchanges common currencies, sells money orders or cashiers checks, and cashes checks, as its principal business activity. This shall not include a financial institution.

Sec. 37-18. - Definitions—D.

Day care center, adult shall mean a building or portion thereof, used to receive adults, for short term hours of care, not providing for overnight occupancy, and used to provide essential personal care, protection, supervision, training, or programs to meet the needs of the adults served, but which shall not include day/night care home.

Day care center/nursery school shall mean a building or portion thereof, used to receive infants, preschool, school age children, or combinations thereof, for short term hours of care, not providing for overnight occupancy, and used to provide essential personal care, protection, supervision, training, or programs to meet the needs of the children served, but which shall not include school or day/night care home.

Day/night care home shall mean a dwelling unit actually occupied by a family, which is used or designed to be used for care of not more than eight (8) children under the age of sixteen (16) years who are not part of the family occupying the dwelling unit; provided that the maximum of eight (8) children includes all children under the age of sixteen (16) years who are part of the family occupying the dwelling unit, and provided further that any children who are not part of the family are received for care for less than twenty-four (24) consecutive hours.

Definitions shall mean given within a chapter, article or division apply only to words or phrases used in such chapter, article, or division unless otherwise provided.

Demolition shall mean any act or process which destroys in part or whole a feature of a building which is subject to the design standards for a landmark or building within a Conservation or Historic District.

Density shall mean the number of dwelling units per acre.

Density, gross shall mean the density based on all land within the boundaries of the particular area.

Density, net shall mean the density based on land within the boundaries of the particular area excluding public rights-of-way.

Design standards shall mean a set of guidelines regarding the architectural appearance of a building, or improvement, which governs the alteration, construction, demolition, or relocation of a building, or improvement.

Destroyed shall mean damage to a building caused by fire, explosion, or other catastrophe in which the costs to reconstruct or repair the building exceed more than fifty (50) percent of the value of the building immediately prior to the time the damage occurred.

Development standards shall mean standards established by this chapter for zoning lots or the placement or size of a building on the lot.

Director shall mean the chief executive officer of the office or department to which the particular division, bureau, board, agency, or subordinate municipal administrative body has been assigned by the Council.

Distribution facility shall mean a use which typically involves both warehouse and office/administration functions, where short- and/or long-term storage takes place in connection with the distribution operations of a wholesale or retail supply business.

District shall mean a territory delineated on the Zoning Map for which the regulations and restrictions of this chapter governing the use of land and buildings, height of buildings, bulk of buildings, floor area, open space, size and location of yards, and off-street parking facilities are uniform.

Dormitory shall mean a building in which lodging is regularly provided or offered for compensation to three (3) or more persons by prearrangement and for definite periods of time, and in which provisions for cooking facilities within individual units may or may not be provided.

Drive-in or drive-through shall mean a building or portion thereof which is designed to provide either wholly or in part, service to customers in vehicles that are either parked or stacked in a service lane. Drive-

in facilities include, but are not limited to, drive-in restaurants, drive-in banking facilities, and other uses with drive-up windows.

Driveway or driving lane shall mean a private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

Duplex. See "Dwelling, two-family."

Dwelling shall mean any building or a portion of a building, occupied or designed to be occupied by one or more units each of which is used or designed to be used as a permanent place of abode for human occupancy.

Dwelling, attached shall mean a one-family dwelling attached to one or more one-family dwellings by common vertical walls. This is also known as "dwelling, common lot line."

Dwelling, common lot line shall mean a dwelling unit that adjoins another dwelling unit at a common lot line with each dwelling unit being located on its own separate lot.

Dwelling, detached shall mean a single dwelling which is not attached to any other dwelling unit or structure.

Dwelling, multifamily shall mean a structure or portion of a building containing three (3) or more dwelling units, or one (1) or more dwelling units if located within a mixed-use building that contains a non-residential use.

Dwelling, single-family shall mean one detached dwelling unit on an individual lot.

Dwelling, two-family shall mean a dwelling containing two (2) dwelling units on a single lot. This is commonly referred to as a duplex.

Dwelling unit shall mean one or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the unit for the exclusive use of a single-family maintaining a household.

Sec. 37-19. - Definitions—E.

Easement, drainage shall mean an easement for the installation, preservation or maintenance of stormwater sewers, stormwater control apparatus, or drainage ditches of a drainage way, natural stream, watercourse, or other drainage facility.

Easement, maintenance shall mean an easement which provides access for maintenance of an adjoining stream, building, or property.

Easement, utility shall mean a general easement for the location and maintenance of public utilities.

Egress shall mean an exit.

Electronic bulletin board shall mean a sign of permanent character, but with electronically changeable letters, words, or numerals indicating the names of persons associated with or events conducted upon or products or services offered upon the premises where the sign is maintained which changes no more than once in any fifteen (15) minute period, illuminated internally by means of electric bulbs or other similar methods, controlled electronically, and able to be programmed to change indefinitely.

Electronic message sign, changing shall mean a sign displaying words or numerals indicating the names of persons associated with or events conducted upon or products or services offered upon the premises where the sign is maintained, which changes more than once in any fifteen (15) minute period, and is illuminated internally by means of electric bulbs or other similar methods, controlled electronically and able to be programmed to change indefinitely.

Eleemosynary Student Foundation shall mean a facility established on campus by a religious or other eleemosynary national organization as an outreach to their members while on campus, but generally serving a wider campus population. These foundations frequently have associated coffeehouses or dining

halls that are also open to the public, and generally offer meeting space and office space to groups of faculty, staff and students only very loosely associated with the foundation itself. This definition does not include affiliated houses of worship, dormitories, nor residence halls.

Emergencies shall mean life or health threatening condition which requires immediate attention.

Emergency shelter shall mean a structure utilized for temporary housing of persons in a dormitory-style setting in which each resident lives at the shelter for a period not to exceed sixty (60) consecutive days.

Enlargement shall mean an increase in the exterior footprint or floor area of an existing structure or building.

Erosion shall mean the detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.

Expansion. See "Enlargement."

Expression Line shall mean a horizontal line used to organize the elements of the façade and/or provide a delineation between floors. The expression line may be created through a change in cladding material, the use of trim material or a change in the way façade materials are used, such as the use of a soldier course on a brick exterior to create a visual break in the façade.

Exterior architectural appearance shall mean the architectural character and general composition of the exterior of a structure, including but not limited to, the kind and texture of the building material and the type, design, and character of all windows, doors, light fixtures, ornamental details, signs, and appurtenant elements.

Sec. 37-34. - Definitions—T.

Tavern shall mean a commercial establishment which holds a Class "A" liquor license and has gross sales of alcoholic liquor that exceed fifty (50) percent of the total food and beverage sales until January 1, 1998; forty-five (45) percent of total food and beverage sales from January 1, 1998 through December 31, 1998; or forty (40) percent of total food and beverage sales for any calendar year thereafter. The term "tavern" shall not include any restaurant with a Class "A" liquor license that has filed an exemption of the prohibition against minors under age nineteen (19) pursuant to Section 5-45 of the Champaign Municipal Code.

Temporary sign shall mean a sign not permanently affixed to a building or in the ground which is intended to be displayed for not more than a thirty (30) day period and that is not actually displayed for any longer than thirty (30) days.

Temporary use shall mean a use established for a limited period of time with the intent to discontinue such use upon the expiration of such time. Such uses are subject to the time restrictions contained in this chapter. No temporary use shall involve the construction or alteration of any permanent structure.

Tenant shall mean any person occupying the premises, building, or land of another in subordination to such other person's title and with the other person's express or implied assent, whether the tenant occupies the whole or a part of those premises, building or land, whether alone or with others.

Tense shall mean words used in the past or present tense including the future, past and present where applicable, unless the context clearly indicates otherwise.

Theater marquee shall mean a canopy with changeable letters which is attached to a building that currently functions or has historically functioned as a theater.

Time shall mean an hour of the day according to the official time of the City.

Time of performance shall mean the time within which an act is to be done as provided in any section or any order issued pursuant to any section, when expressed in days, and is computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or a legal holiday, that day shall not

be counted in the computation. When the time is expressed in hours, the whole of Saturday and Sunday or a legal holiday from midnight to midnight is excluded.

Townhouse. See "Dwelling, attached."

Trade area shall mean the area defined in the City of Champaign Comprehensive Plan as the primary market area for a particular type of retail shopping center.

Transit hub shall mean a place convenient to existing or planned transit routes with accommodations for the loading and unloading of passengers from multiple buses and cars simultaneously, and other amenities such as secure bicycle parking and the display of transit information.

Transition shall mean an area which acts as a buffer between two (2) land uses of different intensity.

Transitional housing shall mean a structure utilized for the semi-temporary housing of persons in a dormitory style setting in which each resident receives training and/or counseling on a regular basis, as a requirement of residing within the facility. Residents shall not live at the facility for a period longer than two (2) consecutive years.

Transparent shall mean non-reflective glass with a visible transmittance rating of 0.50 or greater per the National Fenestration Rating Council. Visible Transmittance is a measure of how much light passes through a window. Visible Transmittance ranges from zero (0) (zero (0) percent - no light) to one (1) (one hundred (100) percent - all light).

Treasurer shall mean City Treasurer.

Truck stop shall mean ~~a commercial use where gasoline, kerosene, or any other motor fuel, lubricating oil or grease for operating motor vehicles is offered for sale to the public, and deliveries are made directly into motor vehicles, including greasing and oiling on the premises, and including minor repairs. The use also includes facilities for the overnight parking of semi-trailers~~ any facility with adequate parking, maneuvering and access for at least three semi-trucks and/or commercial motor vehicles, that provides services including but not limited to: dispensing of fuel, washing, repair and maintenance, overnight parking and sleeping quarters and showers for vehicle operators.

Truck terminal shall mean the premises which is used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point and which is designed to accommodate the simultaneous loading or unloading of five (5) or more trucks.

Truck wash shall mean a washing facility for commercial motor vehicles. This definition includes facilities with automated washing as well as facilities employing personnel for washing.