

Exhibit B: Proposed Amendments to Chapter 151 of the Lake County, Illinois Code of Ordinances

Underline and ~~Strikethrough~~ – Combined staff, ZBA and PBZE recommendations

§ 151.167 LANDSCAPING.

(A) Intent. This landscape section is intended to accomplish the following:

- (1) Preserve or enhance the appearance and character of the property and its surroundings;
- (2) Reduce noise and air pollution, light glare, soil erosion, and solar heating of the environment;
- (3) Provide buffering between land uses and zoning districts of differing intensity;
- (4) Promote the preservation of existing significant vegetation;
- (5) Improve the appearance of parking areas and property abutting public rights-of-way; and
- (6) Promote the implementation of best management practices, low impact development features, and sustainable design elements. (See Appendix A.)

(7) Support ecological sustainability, stormwater management, and climate resilience.

(B) Applicability.

(1) The standards of this section shall apply to the following development types (see also § 151.167(J) Landscape standards for transition areas):

(a) All development subject to the site capacity calculations/site plan review procedures of § 151.070(A); and

(b) All nonresidential development adding at least 1,000 square feet of floor area or 2,000 square feet of impervious surface (on any size parcel) when adjacent to a residential use or zoning district.

(c) Any new nonresidential development or use on any size parcel consisting of at least 1,000 square feet of floor area or 2,000 square feet of impervious surface.

(C) Modification of landscape standards. So long as the intended purpose of the landscaping is not compromised, landscape requirements may be modified by the Planning, Building and Development Director in instances such as:

(1) When installing the plant material would compromise the health, vitality, or ecology of existing vegetation, or those natural resources requiring protection under § 151.070; or

(2) Where unique limitations of the site preclude the installation of the required plant units; or

(3) When the principal use of the site is changed to a principal use of the same or lesser intensity.

(D) Previously approved development. A development that was legally established in accordance with all landscaping regulations in effect at the time of establishment shall not be deemed nonconforming solely due to the fact that it does not comply with the landscaping regulations of this section.

(E) *Plant unit and material standards.* Plant material used to satisfy the standards of this section shall comply with the following standards:

(1) *Plant units.* A plant unit is a measurement used to determine the quantity of plant material required.

(a) One plant unit is comprised of all of the following elements, of which at least six elements shall be native:

1. One canopy tree;
2. Two understory trees;
3. Two evergreen trees; and
4. Seven shrubs.

(2) *Plant material.* Plant material used to satisfy the standards of this section shall comply with the following standards:

(a) *Size.* Unless otherwise expressly provided, all plant materials used to satisfy the requirements of this section shall meet the following minimum size standards:

| <i>Plant Type</i> | <i>Minimum Size</i> |
|-------------------------------------------------------------------------------------------|----------------------------------------------------|
| <u>Oaks (Quercus sp)</u> <u>Hickories (Carya sp)</u> <u>Hornbeams (Carpinus sp)</u> | <u>1.25-inch caliper</u> |
| Canopy tree (<u>all other species</u>) | <u>1.53</u> -inch caliper |
| Understory/ornamental tree | <u>1.52</u> -inch caliper or <u>68</u> feet height |
| Evergreen/conifer tree | 8 feet height |
| Shrubs | |
| Broadleaf/deciduous <u>shrub</u> | 3 feet height |
| Needleleaf/evergreen <u>shrub</u> | 2 feet height |
| Columnar evergreen <u>shrub</u> | 3 feet height |

(b) ~~Examples~~ Types of species. Species of plant material that satisfy the requirements of this section are contained in Appendix A. That Appendix categorizes plant species as either “canopy trees,” “evergreen trees,” “understory trees,” or “shrubs.” With the exception of native species requirement, ~~V~~varieties and cultivars of the plant species listed in Appendix A may be used to satisfy the other requirements of this section, provided that the variety or cultivar used complies with all applicable size and form standards.

(c) *Quality.* Plants installed to satisfy the requirements of this section shall meet or exceed the plant quality standards of the most recent edition of American Standard for Nursery Stock, published by the American Horticulture Industry Association. Plants shall be nursery-grown and balled with burlapping or other suitable material that is biodegradable.

(d) *Additional landscape treatment.* All required landscape areas not dedicated to trees, shrubs or preservation of existing vegetation shall be landscaped with grass, groundcover, or other landscape treatment, not including sand, rock, or pavement.

(e) *Species mix.* ~~For projects requiring more than five canopy trees, each plant type (i.e., canopy tree, understory tree, etc.) associated with the landscape requirements of this section, no single plant species shall represent more than 40% of the total plantings of each plant type.~~ No single plant species shall represent more than 15% of the total plantings.

(f) *Berms not required in perimeter landscape transition areas.* Any berm not required by this section but otherwise required by a county condition of development approval, containing at least five feet in height whose toe is within 25 feet of any right-of-way or other property line shall be improved with a minimum of one plant unit per 100 linear feet for every five feet of height up to a maximum height of 20 feet. The Planning, Building and Development Director may modify the planting requirements for berms proposed in locations that will be buffered by existing natural features or are proposed in locations that will not impact drainage patterns or neighboring land owners.

(F) *Landscape standards for parking lots.*

(1) *Applicability.* The parking lot landscaping standards of this subsection (F) shall apply to all off-street parking areas containing more than five off-street parking spaces with the exception of interior landscaping associated with multi-level parking structures. The standards of this subsection (F) shall not apply to storage of new or used motor vehicles or boats or to trucking or motor freight terminals that are not normally open to the public.

(2) *Area and planting standards.*

(a) Parking lots that are greater than 4,000 square feet shall contain landscaped areas to break up the expanse of pavement. The landscaped areas shall be located entirely within the lot in either internal or corner islands and conform to the following area ratios:

| Parking Lot Area | Required Landscape Area |
|---------------------------------|--------------------------------|
| 4,000 sq. ft. to 10,000 sq. ft. | 5% of paved surface |
| Greater than 10,000 sq. ft. | 10% of paved surface |

(b) Each 325 square feet of required landscape area shall contain the following plant material:

| | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 2 Canopy trees: Oaks (Quercus sp) , Hickories (Carya sp) , Hornbeams (Carpinus sp) All other species | 1.25-inch caliper 3 1.5-inch caliper |
| 5 Shrubs (low growing, not to exceed 3 ft. ht.) | 2 ft. ht. |

(c) Existing vegetation located within the interior or the corner portions of the parking lot may be counted towards required landscape plantings upon approval by the Planning, Building and Development Director.

(d) Native perennials and grasses may be planted in lieu of shrubs, up to 20% of the total number of required shrubs. Three native perennial plants or native grasses shall equal one shrub.

(e) The minimum width of all parking lot landscaped areas shall be ten feet and shall be protected by raised curbs with a minimum height of four inches with the exception of low impact development features (see Appendix A) as appropriate.

(f) The minimum area for a corner island shall be 200 square feet.

(g) The finished grade (crown) of interior planting areas shall not be less than three inches above curb or pavement with the exception of low impact development features as appropriate.

(h) The parking lot perimeter shall be landscaped with a minimum of one plant unit per 100 lineal feet (not to include ingress/egress dimensions).

In situations where the perimeter of the parking lot overlaps with the required transition area, whichever requirement is greater shall apply.

(i) Prior to planting, all interior areas shall be excavated to a depth of three feet and amended with a soil mixture consisting of one part screened topsoil, one part existing topsoil and two parts of organic compost, or an approved equivalent, with the exception of other soil mixtures as necessary to accommodate low impact development features. This requirement may be waived upon confirmation by the Planning, Building and Development Director that the pre-existing soil is suitable for planting and drainage, and that no amendments are necessary.

(j) All landscaped areas that are not planted in turf or native grass shall be mulched with a three-inch layer of shredded hardwood bark mulch or stone.

(k) A maintenance schedule shall be provided for review prior to approval of the landscape plan.

(G) Best management practices. With the incorporation of best management practices (BMPs), low impact development practices (LIDs), or other sustainable practices into the project, the Planning, Building and Development Director may allow the required landscaping to be reduced or arranged in a manner that will enhance the design concept. Refer to Appendix A for examples of BMP, LID, and sustainability features.

(1) Considerations shall include the following.

(a) To qualify for consideration, sustainability features such as swales or bio-filters shall be placed in islands or at the perimeter of the parking areas and shall be designed to improve the filtration and quality of stormwater runoff.

(b) Proposals to modify the type or quantity of landscape material may be allowed in exchange for the installation of plant species such as native trees, shrubs, grass, or perennials that will enhance the filtering capacity of the site and promote the use of diverse native species.

(c) Proposed swales or filters using a structural pervious surface may be used for parking or drive aisles provided the features are designed to withstand vehicular loads.

(d) At the discretion of the Planning, Building and Development Director, an increase in the on-site impervious surface ratio of up to 10% may be allowed on the site in exchange for the addition of BMP or LID features, provided that the total impervious surface ratio shall not exceed 80%.

(2) The following BMP/LID incentives are available subject to the above considerations:

| BEST MANAGEMENT PRACTICE | INCENTIVES |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Permeable pavement | Additional impervious surface Can be used for fur parking/drive aisle Reduced curb & gutter Wheel stops in lieu of curb & gutter Alteration of plant species/quantity |
| Structural soil | Additional impervious surface Alteration of plant species/quantity |
| Vegetated swale or buffer bio-retention cell/rain garden | Additional impervious surface Reduced curb & gutter Wheel stops in lieu of curb & gutter Alteration of plant species/quantity |

(3) Provide both a short-term and long-term maintenance and management plan of BMP areas.

(H) Landscape standards for streets.

(1) Subdivision and local streets. Subdivision and local streets (including alleys) shall have two canopy trees per 100 feet of road frontage.

(2) Arterial/collector/freeway.

(a) Residential uses abutting an arterial or collector street or a freeway shall have three plant units per 100 feet of road frontage.

(b) Nonresidential uses abutting an arterial or collector street or a freeway shall have one plant unit per 100 feet of road frontage.

(3) Ultimate right-of-way provisions.

(a) Where a parcel extends to the centerline of an existing street or where the existing street adjacent to the development site contains less than the right-of-way width specified in § 151.169, the landscape material shall be located no closer than the ultimate right-of-way line of local streets and no closer than one foot outside the ultimate right-of-way of collector streets, arterial streets, and freeways, unless the roadway authority provides written notice there is no immediate or foreseen future need to widen the right-of-way.

(b) No landscaping shall be located within the existing right-of-way of any public road without written consent of the highway authority having jurisdiction over the public road.

(I) Landscape standards for common open space.

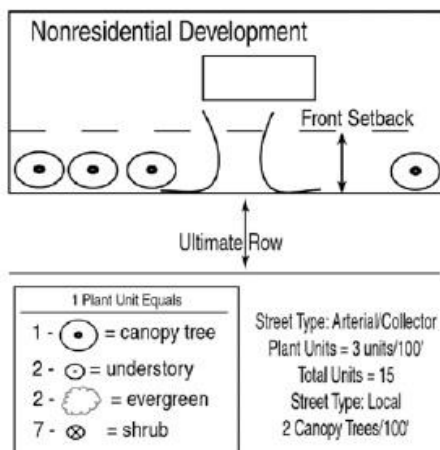
(1) Applicability and standards. Residential subdivisions or residential developments containing common open space shall provide one-half plant unit of landscaping for each residential dwelling unit within the common open space.

(2) Location.

(a) Plant material shall be installed so it relates to the natural environment and habitat in which it is placed.

(b) Native vegetation or plant species shall be utilized in all instances unless site conditions or availability of species warrant the use of cultivars or similar materials compatible with the area.

Figure 151.167(H): Landscape Standards for Streets



(J) Landscape standards for transition areas.

(1) Applicability.

(a) A transition area shall be required when a residential use is adjacent to a nonresidential use.

(b) A transition area and associated landscaping shall be provided along the perimeter of all developments subject to the standards of this section.

(2) Transition landscape standards.

(a) The width of a required transition area shall be calculated as 20% of lot width, but in no case shall the transition area be any less than ten feet or more than 30 feet in width.

(b) Plant unit intensity shall be based on transition area width, and shall be calculated proportionately at one plant unit for every ten feet of transition area width.

(c) Subject to this width requirement, transition area landscaping shall be determined in accordance with the following Table 151.167(J):

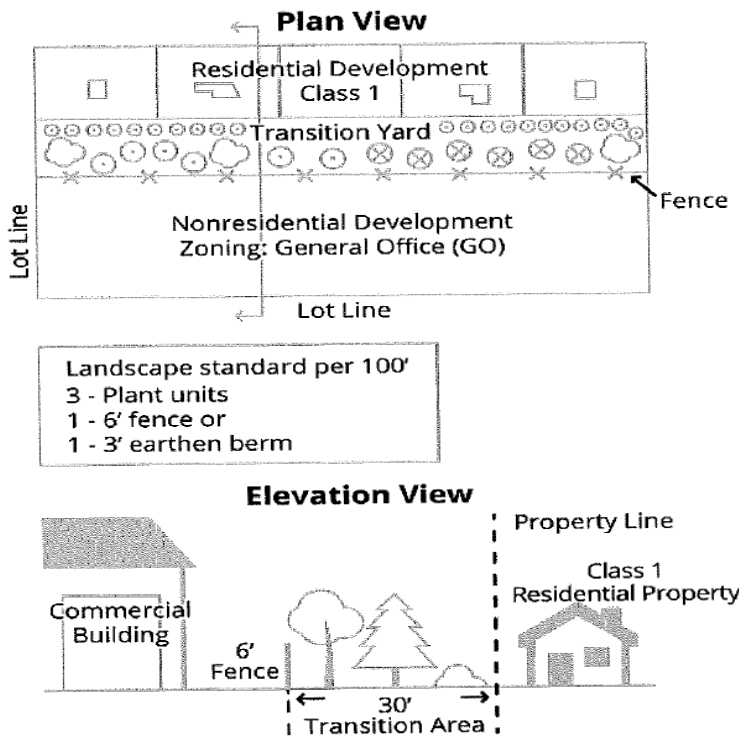
| Table 151.167(J): Perimeter Transition Landscape Requirements (Plant Units Per 100 Linear Feet, Based on a 30-foot Transition Area) | | | | | | | | | | | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|----------------|-----------------------|-----------|-----------|-----------|-----------|-----------|---------------|------------------|----------------------|-----------|---|
| Proposed Developing Site | Existing Site | | | | | | | | | | | | | |
| | Residential | | | Nonresidential | | | | | | Vacant | | | | |
| | Class 1 | Class 2 | Class 3 | GO | LC | RC | GC | LI | II | OS | Vac. Res. | Vac. Non-Res. | AG | |
| Class 1 | - | | | | | | | | | | A* | - | 2 | 2 |
| Class 2 | 2 | - | | | | | | | | | A* | - | 2 | 2 |
| Class 3 | 3 | 2 | - | | | | | | | | A* | - | 2 | 2 |
| GO | 3+B or D | 3+B or D | 3+B or D | - | | | | | | | A | 3 | - | 2 |
| LC | 3+B or D | 3+B or D | 3+B or D | 1 | - | | | | | | A | 3 | - | 2 |
| RC | 3+B or D | 3+B or D | 3+B or D | 1 | 1 | - | | | | | A | 3 | - | 2 |
| GC | 3+B or D | 3+B or D | 3+B or D | 2 | 1 | 1 | - | | | | 2A | 3 | - | 2 |
| LI | 3+C or E | 3+C or E | 3+C or E | 2 | 2 | 2 | 2 | - | | | 2A | 3 | - | 3 |
| II | 3+C or E | 3+C or E | 3+C or E | 2 | 2 | 2 | 2 | 1 | - | | 2A | 3 | - | 3 |
| OS | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Notes: | | | | | | | | | | | | | | |
| Nonresidential uses allowed in the Agricultural and Residential Districts shall be subject to the transition landscape requirements of the LC Zoning District. | | | | | | | | | | | | | | |
| Class 1 = Detached house, village house or lot line house | | | | | | | | | | | | | | |
| Class 2 = Duplex, patio house, atrium house, twinhouse, multiplex, townhouse | | | | | | | | | | | | | | |
| Class 3 = Multi-dwelling | | | | | | | | | | | | | | |
| A = Split rail fence or other fence not to exceed 10% opacity | | | | | | | | | | | | | | |
| B = Fence (minimum 95% opacity), 6-foot minimum height | | | | | | | | | | | | | | |
| C = Wood fence (minimum 95% opacity), 8-foot minimum height with concrete footings | | | | | | | | | | | | | | |
| D = Earthen berm, 3-foot minimum height; not required for commercial solar or wind facilities | | | | | | | | | | | | | | |
| E = Earthen berm, 5-foot minimum height; not required for commercial solar or wind facilities | | | | | | | | | | | | | | |
| Plant units: one plant unit is comprised of all of the following: 1 canopy tree; 2 understory trees; 2 evergreen trees; and 7 shrubs. | | | | | | | | | | | | | | |
| * Fence permitted at the property line and no transition yard required, provided that no parking lot, active recreational area, or other structure is currently located within 30 feet of the adjoining property line on the OS-Zoned parcel. | | | | | | | | | | | | | | |

(3) Location.

(a) All plant material within transition areas shall be installed within the required setback line of the proposed development site as close to the property line as practical.

(b) In instances where a drainage or utility easement are conterminous with the transition easement, the width of the transition area shall be increased so it does not compromise the function of the [transition area plantings nor the](#) utility or drainage easement.

Figure 151.167(J): Transition Area Landscaping



(4) Calculation of plant units. In calculating the number of plant units required, measurements shall be measured along the external dimensions of the property.

(K) Telecommunication and co-locate facilities. All new telecommunication towers and co-locate facilities shall require landscaping to be determined by amount, location and species on a site-specific basis.

(L) Exceptions.

(1) Plant material existing within a transition area of a proposed development site or on an adjacent parcel that has comparable composition and density to the minimum landscape standards of this section may be used to satisfy landscape requirements, provided that the plant material is designated and protected as permanent open space and further provided that, if the plant material is located on the adjacent property, a written agreement between both adjoining property owners is reached and recorded against both properties. In this instance, the existing plant material need not comply with the "species mix" standards of this section.

(2) A protected natural resource that exists on a proposed development site within the transition area or on an adjacent parcel may be counted toward meeting the transition landscape requirements of § 151.167(J), provided that the following minimum width is provided.

| | | |
|-------------------------------|---------------------------------------|-------------------------------|
| <i>Mature Woodland</i> | <i>Young Woodland or Grove</i> | <i>Other Resources</i> |
|-------------------------------|---------------------------------------|-------------------------------|

| | | |
|---------|---------|----------|
| 30 feet | 40 feet | 100 feet |
|---------|---------|----------|

(3) If a development is proposed on a tract of land that exceeds the minimum lot area standard of the zoning district in which it is located, the landowner may designate a smaller area of parcel as the development site and provide landscaping in accordance with this section within the smaller development site area. In order to use this provision, the size of the designated development site and the remaining land area of the tract must both equal or exceed the minimum lot size and width standard of the underlying zoning district.

(4) Landscaping shall not be required for accessory uses or additions to principal uses, provided that:

(a) The accessory use or addition do not exceed 1,000 square feet of gross floor area or 2,000 square feet of impervious surface area; and

(b) The Planning, Building and Development Director determines that no adverse land use impacts will result.

(M) Transition agreements. In lieu of providing transition landscaping that complies with the minimum standards of this section, landowners of adjoining properties shall be entitled to enter into an agreement that provides for a waiver or partial waiver of the requirements. The agreement shall consider the relationship of the existing uses of each property and their ultimate development potential. The agreement shall state each owner's obligation for preserving and maintaining the transition easements. The agreement shall be in the form of a covenant or deed restriction and shall require approval by the Planning, Building and Development Director. Once approved, the agreement shall be recorded with the Lake County Recorder and shall run with the land.

(N) Use of transition and common open space landscape areas.

(1) Passive recreation. Landscape areas may be used for passive recreation and may contain pedestrian, bicycle, or equestrian trails, provided that:

(a) No required plant material is eliminated and the survival potential of the plant materials is not compromised; and

(b) For the purpose of this provision, passive recreation includes activities associated with extremely low noise levels and individual activities, such as birdwatching, walking, jogging, bicycling, horseback riding, and picnicking. Motorized activities of any kind are not included, nor are activities that involve competition, large groups or special facilities such as tennis courts, ski hills, skating rinks, or swimming pools. Lighting, if provided, shall be extremely low level, and associated with pedestrian walkways in a "campus-like" setting.

(2) Drainage and utility easements. Drainage and utility easements may be allowed within transition and common open space landscape areas, provided that the easement and landscape requirements are compatible and the function of the easement is not adversely affected.

(3) Structures. No structures, other than those allowed by the Planning, Building and Development Director pursuant to this subsection (N)(3), shall be permitted within transition and common open space landscape areas. The Planning, Building and Development Director shall be authorized to allow signs, decorative fences, and other accessory structures within transition and common open space landscape areas, provided that the structures will not detract from the intended purpose and function of the landscape easement and no plant material is eliminated.

(O) Installation, maintenance, and replacement.

(1) Installation.

(a) All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous growth. Where possible, best management practices should be incorporated (see Appendix A). Properly amended soil shall be provided in all planting areas, and subsurface drainage shall be provided where berms, elevated areas, or other suitable means for providing proper drainage do not exist.

1. All lawn and planting areas shall be cultivated to a minimum depth of six inches and amended with a mixture consisting of one part existing topsoil and two parts organic compost, or an approved equivalent.

2. When not specifically waived pursuant to subsection (F)(2)(j) above, planting islands shall be excavated of compacted soil to a depth of three feet and be backfilled with a soil mix consisting of one part screened topsoil, one part existing topsoil and two parts of organic compost or an approved equivalent with the exception of other soil mixtures as necessary to accommodate low impact development features.

3. Individual planting pits shall be a minimum two times the width of the root ball of the plants.

(b) Installation inspections shall be conducted at the time the planting areas are prepared so that verification of planting pit size and soil amendments can be completed. The office of the Planning, Building and Development Director should be contacted to arrange for inspections and associated inspection fees.

(2) Maintenance and replacement. Required trees, shrubs, structures, and other landscape features shall be considered as elements of the project in the same manner as parking, building materials, and other details are elements of the plan. The property owner, or successors in interest, shall be jointly and severally responsible for the following:

(a) All landscaping shall be maintained in good condition and in a manner that presents a healthy, neat, and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds, and litter. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching, or other care, as needed. All maintenance shall be performed in accordance with acceptable horticultural practices;

(b) The repair or replacement of required landscape structures (e.g., fences) to a structurally sound condition;

(c) The regular maintenance, repair, or replacement, where necessary, of any landscaping required by this section;

(d) Continuous maintenance of the site as a whole; and

(e) The Planning, Building and Development Director shall be authorized to require documented assurance of continued landscape performance and/or maintenance in the form of a condition, covenant, contract, development agreement or performance/maintenance assurance to assure installation and, for a minimum one-year period, the continued maintenance of landscape improvements associated with a development. The amount of the performance assurance shall be at least 130% of the estimated cost of the required landscape improvements. The maintenance assurance shall be equal to at least 10% of the performance assurance. Notwithstanding the above, the Planning, Building and Development Director shall be authorized to reduce or waive the maintenance assurance, provided the landscape features incorporate best management practices and/or low impact development features contained in Appendix A. Any performance and/or maintenance assurance required by the Director shall be administered in accordance with the provisions of § 151.203 of this chapter.

(Ord., § 9.3, passed 10-13-2009; Ord. passed 8-14-2012; Ord. 19-1378, passed 9-10-2019)

§ 151.271 TERMS DEFINED.

Words and terms used in this chapter shall be given the meanings set forth in this section. All words not defined in this section shall be given their common, ordinary meanings, as the context may reasonably suggest. The use-related terms are mutually exclusive, meaning that uses given a specific definition shall not also be considered to be a part of a more general definition of that use type. A “bookstore”, for example, shall not be considered a general “retail sales and service” use, since “bookstore” is a more specific definition of that use.

ABUTTING. Having a common border with or being separated from the common border by an alley, easement, or right-of-way.

ACCESS. A means of vehicular entry to or exit from property.

ACCESSORY DWELLING. An accessory structure, separate or attached, located on the same lot as a principal dwelling and occupied, for residential purposes only, by a person or persons either employed on the premises or related by blood, marriage, or adoption to the occupants of the principal dwelling.

ACCESSORY STRUCTURE. A structure that customarily:

- (1) Is subordinate to and services a principal building or a principal use legally existing on the same zoning lot;
- (2) Is subordinate in area, extent, and purpose to the principal building or principal use;
- (3) Contributes to the comfort, convenience or necessity of the occupants, business, or industry of the principal structure or principal use served; and
- (4) Is located on the same zoning lot as the principal structure or principal use served.

ACCESSORY USE. See **USE, ACCESSORY.**

ADEQUATE DOWNSTREAM STORMWATER CAPACITY. A stormwater management system shall be considered to have **ADEQUATE DOWNSTREAM STORMWATER CAPACITY** if the system can be shown to store or convey up to and including the 100-year stormwater runoff without increasing damage to adjoining properties or to a point downstream known to the Planning, Building and Development Director to be a restriction causing significant backwater.

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 Illinois Cannabis Regulation and Tax Act, (410 ILCS 705).

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 Illinois Cannabis Regulation and Tax Act, (410 ILCS 705). Licensees may share premises with a processing organization or dispensing organization, or both. May contain up to 5,000 square feet on its

premises for plants in the flowering stage (increases available by Department of Agriculture in increments of 3,000—max 14,000 square feet).

ADULT-USE CANNABIS 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 Illinois Cannabis Regulation and Tax Act, (410 ILCS 705). Licensees may share premises with a craft grower, or dispensing organization or both.

ADULT-USE CANNABIS 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 Illinois Cannabis Regulation and Tax Act, (410 ILCS 705).

ADULT-USE CANNABIS DISPENSARY. 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, (410 ILCS 705).

ADULT-USE CANNABIS 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, (410 ILCS 705).

ADULT BOOTH. Any area of an adult entertainment establishment set off from the remainder of the establishment by one or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

ADULT CABARET. Any commercial establishment that regularly features any of the following as a substantial or significant portion of its business:

- (1) Persons who appear semi-nude; or
- (2) Live performances distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

ADULT ENTERTAINMENT ESTABLISHMENT. An adult cabaret, adult store, or adult theater.

ADULT MATERIAL. Any of the following, whether new or used:

- (1) Books, magazines, periodicals, or other printed matter, or digitally-stored materials that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities;
- (2) Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an

emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities;

(3) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities; or

(4) Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

ADULT STORE. Any commercial establishment that contains one or more adult booths; offers for sale, rental, or viewing any adult materials as a substantial or significant portion of its business; or has a segment or section devoted to the sale or display of adult materials.

ADULT THEATER. Any commercial establishment that as a substantial or significant portion of its business regularly features for presentation films, motion pictures, video or audio cassettes, slides, computer displays or other visual representations or recordings that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

AFFORDABLE HOUSING. Decent, safe, and sanitary housing that can be secured at a cost not exceeding 30% of the owner's or renter's household income. For renters, the 30% is comprised of rent and utilities. For owners, the 30% is comprised of mortgage principal, interest, real estate taxes, and insurance (PITI).

AGRICULTURAL EDUCATION. Any assemblage of structures and uses intended to educate the general public about the history, science, business, and technology of agriculture, as defined in this section, when operated in conjunction with a principal agricultural use on sites of 200,000 square feet or greater. These structures may include but are not limited to classrooms, displays of equipment, and working models of agricultural implements, devices, or machinery.

AGRICULTURAL EXEMPTION. An exemption contained in state law which prohibits fee bearing building permits with respect to land used or to be used for agricultural purposes and further defines the powers of this chapter as to restrict its application.

AGRICULTURE. The tilling of the soil; the growing of crops; the operation of non-retail greenhouses and nurseries; the raising and/or keeping of livestock, equine, fur-bearing animals, gamebirds, poultry, and farm animals; and incidental structures for carrying out the above.

AIRCRAFT. Any machine or device, including but not limited to airplanes, helicopters, gliders, hang gliders, ultralights, autogiros, dirigibles, and hot air balloons, capable of atmospheric flight.

AIRPORT. Any area of land, water, or both which is used or designed for the landing or taking off of aircraft of any type, or for the location of runways, landing areas, airdomes, hangars, structures, airport runways, grass runways, and other facilities constituting an advantage or convenience to the safe landing, takeoff, and navigation of aircraft, or the safe and efficient maintenance thereof, whether or not facilities are provided for the shelter, servicing, or repair of aircraft or for receiving or discharging passengers or cargo, and whether or not those areas and facilities are public or are restricted to private use.

ALLEY. A thoroughfare that is not more than 30 feet wide and that affords only a secondary means of access to abutting property.

AMBIENT SOUND. The all-encompassing sound at a given location, usually a composite of sounds from many sources near and far. For the purpose of this chapter, the **AMBIENT SOUND LEVEL** shall mean the quietest of ten ten-second average sound levels measured when there are no nearby or distinctly audible sound sources (e.g., dogs, or jets). Daytime ambient measurements should be made during mid-morning weekday hours, while nighttime measurements should be made after midnight.

AMPHITHEATER. An open air commercial structure, with tiers of seats or a seating area rising above a stage, that is intended to be used for the viewing of musical, theatrical, or other entertainment performances. Non-commercial bandshells and other outdoor stages established as accessory structures in public or community parks shall not be considered **AMPHITHEATERS**.

AMUSEMENT PARK. An area of land, including the structures thereon, which is devoted to a commercial enterprise open to the public, which provides to patrons multiple amusement attractions and/or amusement rides.

APPROPRIATE USE. Those uses of the regulatory floodway that are expressly permitted by § 151.150.

ARBORIST, CERTIFIED. A person certified by the International Society of Arboriculture.

ARCHITECT. A person licensed as an architect and licensed to practice in the State of Illinois.

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

ASSEMBLY SPACE. Space intended to accommodate a group of people gathered together, for a particular purpose, whether religious, political, educational, or social. **ASSEMBLY SPACE** may include but shall not be limited to meeting rooms/halls, classrooms, worship halls, and social halls.

ASSURANCE, SUBDIVISION (PERFORMANCE, RESTORATION OR MAINTENANCE). A financial guarantee to ensure that all improvements, facilities, or work required by this chapter will be restored, completed, or maintained in compliance with this chapter.

ATRIUM HOUSE. A one-story dwelling unit with private individual access that is attached to another dwelling unit. Each dwelling unit has a private yard or atrium that is enclosed by the house or a wall. (See also atrium house standards of § 151.130.)

ATTACHED DWELLING. A dwelling unit that is attached to one or more dwelling units or to nonresidential uses.

AVERAGE GROUND ELEVATION. The average level of the finished surface of the ground adjacent to the exterior walls of a building or structure.

BANNER. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution shall not be considered a **BANNER**.

BAR. An establishment in which the principal business is the sale of alcoholic beverages to patrons for consumption on the premises. Same as **TAVERN** or **NIGHTCLUB**.

BASE FLOOD. The flood having a 1% probability of being equaled or exceeded in any given year. The **BASE FLOOD** also is known as the **100-YEAR FREQUENCY FLOOD EVENT**.

BASE FLOOD ELEVATION. The elevation delineating the level of flooding resulting from the 100-year flood frequency. Application of the **BASE FLOOD ELEVATION** at any location shall conform to all applicable standards of § 151.147.

BASE SITE AREA. The portion of a parcel as calculated pursuant to § 151.070(D)(1).

BASEMENT. Any area of a building having its floor subgrade (below grade level) on all sides.

BASIN. A facility which provides temporary or permanent impoundment of water for flood control and other water resource purposes. **BASINS** include stormwater infiltration, retention, and detention facilities. Sub-watershed areas within the county that include the Fox River mainstream (including the Chain O'Lakes), Flint Creek, Tower Lake Drain, Slocum Drain, Mutton Creek, Manitou Creek, Fish Lake Drain, Sequoit Creek, the Des Plaines River mainstream, South Mill Creek, North Mill Creek, Newport Drainage Ditch, Bull Creek, Indian Creek, Aptakisic Creek, Buffalo Creek, Skokie River, Middle Fork-North Branch Chicago River, West Fork-North Branch Chicago River, Kellogg Creek, Dead River, Waukegan River, Pettibone Creek, and Lake Michigan Bluff/Ravines.

BASIN PLAN. A study and evaluation of an individual drainage basin's stormwater management and flood control needs.

BEACON. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

BERM. A man-made landscape feature generally consisting of a linear mound of fill. Temporary soil stockpiles and retaining walls are not **BERMS**.

BEST MANAGEMENT PRACTICE (BMP). Structural or vegetative control measure designed to mitigate changes to both quantity and quality of storm water runoff from land development. **BMPs** are intended to reduce storm water volume, peak flows, and/or nonpoint source pollution through evapotranspiration, infiltration, detention, and filtration.

BOATHOUSE. A structure erected for the purpose of storing boats on an earthen floor or over a water slip.

BREAKAWAY WALL. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

BRIDGE ENGINEER. The Bridge Engineer of the Illinois Department of Transportation.

BUFFER. An area of predominantly vegetated land to be left open, adjacent to linear water bodies, wetland, lakes, ponds, or other surface waters for the purpose of eliminating or minimizing adverse impacts to the areas.

BUILDING. A structure built, maintained, or intended for use for the shelter or enclosure of persons, animals, or property of any kind. The term includes a gas or liquid storage tank, a

manufactured home, mobile home, or a prefabricated building. This term also includes recreational vehicles and travel trailers that exist on a site for more than 180 days.

BUILDING, FRONT OF. The exterior wall of a building which faces the street lot line of the lot.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM. An active solar energy system that is an integral part of a principal or accessory structure, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. **BUILDING-INTEGRATED SYSTEMS** include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, or awnings.

BUILDING MARKER. Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

BUILDING PERMIT. A permit issued by the county for the construction, erection, or alteration of a structure or building.

BUILDING, PRINCIPAL. A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

BYPASS. To route tributary drainage area runoff around and not through a stormwater control structure.

CABIN or COTTAGE. A recreational (nonresidential) use consisting of detached dwelling units used for temporary or seasonal occupancy.

CALIPER. A measurement of the size of a tree equal to the diameter of its trunk measured six inches above natural grade for trees having calipers less than or equal to 12 inches diameter; and measured four and one-half feet above grade for tree calipers greater than 12 inches diameter.

CAMP. Any land, including structures, used for assembly or temporary occupancy by individuals and providing outdoor recreational facilities.

CARDHOLDER. A qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Illinois Department of Public Health pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).

CARETAKER'S DWELLING UNIT. A dwelling unit located on the same parcel as a nonresidential principal use and occupied exclusively by either the owner, manager, caretaker, or operator, and his or her family, of a permitted principal use.

CASINO/COMMERCIAL WATERCRAFT.

(1) A retail sales and service (entertainment-oriented) use consisting of:

(a) A boat, barge, or vessel or other watercraft operated on any body of water in the county, excluding Lake Michigan, for the purpose of providing on-board food, beverage, entertainment, and/or gaming services to patrons of the watercraft;

(b) All onshore facilities established adjacent to the body of water upon which the watercraft is operated, including but not limited to all docking, maintenance and service,

operation, restaurant, tavern, ticketing, retail sales and service, parking, loading and other buildings, structures, and facilities that provide for the comfort, convenience, entertainment, or enjoyment of the patrons of the watercraft;

(c) All piers, docks, breakwaters, moorings, and other waterside structures and facilities required in connection with the safe and convenient operation of the watercraft; and

(d) All on-site construction and development activities associated with the establishment of these uses.

(2) Boats, barges, vessels, or other watercraft operated principally for the transportation of people and materials shall not be considered **COMMERCIAL WATERCRAFT**.

CEMETERY. Any land, and the structures thereon, designed, used, or intended to be used for the interment of human or animals remains. A **CEMETERY** may include a crematorium.

CERTIFIED COMMUNITY. A community which has petitioned the Lake County Stormwater Management Commission and has been found by the Lake County Stormwater Management Commission to be capable of enforcing an ordinance (or ordinances) which contain stormwater and regulatory floodplain management rules and regulations which are consistent with, or at least as stringent, as these of this chapter.

CERTIFIED PROFESSIONAL SOIL CLASSIFIER. A person who is certified by Illinois Soil Classifiers' Association or the American Registry of Certified Professionals in Agronomy, Crops, and Soils.

CERTIFIED WETLAND SPECIALIST. Persons meeting the minimum requirements of subsections (1), (2), (3), and (4) as follows:

(1) Provide a one-page statement of qualifications in the areas noted below. The signed statement will be considered as evidence of qualifications;

(2) Pass the **CERTIFIED WETLAND SPECIALIST** exam;

(3) Completion of a Lake County Stormwater Management Commission-approved wetland delineation course and meet the requirements of one of the following:

(a) Licensed professional wetland scientist (PWS) from the Society of Wetland Scientists;

(b) Minimum of a bachelor's degree in an earth science or biologic science and at least one of the following: three years (cumulative) full-time experience in the Upper Midwest Region on wetland related projects; or the completion of 100 wetland delineations in the Upper Midwest; or a minimum of 300 hours spent in field review of wetlands in the Upper Midwest; or

(c) Six years (cumulative) full-time experience in the Upper Midwest Region on wetlands related projects.

(4) Recertification as a **CERTIFIED WETLAND SPECIALIST** shall be required every three years through the Lake County Stormwater Management Commission. A minimum of 24 work-related professional development hours including Lake County Stormwater Management Commission mandatory training for this type of certification shall be obtained within the three-year period in order to qualify for recertification. Documentation shall be self-monitoring and

shall be provided to Lake County Stormwater Management Commission upon application of certification or recertification.

CERTIFY or CERTIFICATION. The act or process of attesting that the specific inspections, calculations, or tests, where required, have been performed and that they comply with the applicable requirements of this chapter.

CHANNEL. See **LINEAR WATER BODY**.

CHANNEL MODIFICATION. Alteration of a channel by changing the physical dimensions or materials of its bed or banks. **CHANNEL MODIFICATION** includes damming, rip-rapping or other armoring, widening, deepening, straightening, relocating, lining and significant removal of bottom or woody vegetation from the channel. **CHANNEL MODIFICATION** does not include the clearing of dead or dying vegetation, debris, or trash from the channel.

CLUB, NIGHTCLUB. See **NIGHTCLUB**.

CLUB, PRIVATE. A structure, building or property which is primarily used by an organization serving its members or their guests.

COASTAL HIGH HAZARD AREA. An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast, and any other area subject to high velocity wave action from storms or seismic other sources. A **COASTAL HIGH HAZARD AREA** is identified on a community's FIRM by the designation of Zone VE or a moderate wave action area (MoWA).

COLLECTOR STREET. See **STREET, COLLECTOR**.

COMMERCIAL ESTABLISHMENT. Any place where admission, services, performances, or products are provided for or upon payment of any form of consideration.

COMMERCIAL MESSAGE. Any sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

COMMERCIAL VEHICLE. A vehicle that is used or intended to be used primarily for commercial purposes.

COMMUNITY SEWER SYSTEM. A sewage treatment system which serves more than one dwelling unit.

COMMUNITY WATER SYSTEM. A water system which serves more than one dwelling unit.

COMPENSATORY STORAGE. A volume of storage created to offset the loss or displacement of flood storage capacity due to a development activity. (See also § [151.149](#).)

COMPOSTING. The biological treatment process by which microorganisms decompose the organic fraction of waste, producing compost.

COMPREHENSIVE PLAN. All plans for the orderly development of the county including all accompanying maps, charts, and explanatory material adopted by the County Board, and all amendments thereto.

CONCENTRATED SOLAR THERMAL TECHNOLOGY. A solar energy technology that uses lenses or mirrors, and often tracking systems, to focus or reflect a large area of sunlight into a small area.

CONDITIONAL APPROVAL REGULATORY FLOODWAY MAP CHANGE. Preconstruction approval by Illinois Department of Transportation, Office of Water Resources and Federal Emergency Management Agency of a proposed change to the regulatory floodway map. This preconstruction approval ensures the property owner that once an appropriate use is constructed according to permitted plans, the regulatory floodway map can be changed, as previously agreed, upon review and acceptance of as-built plans.

CONDITIONAL LETTER OF MAP REVISION. A letter which indicates that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, flood boundaries or regulatory floodway as shown on an effective Flood Hazard Boundary Map or Flood Insurance Rate Map, once the as-built plans are submitted and approved.

CONDUIT. A general term for any channel, watercourse, sewer, or culvert used for the conveyance or movement of water, whether open or closed.

CONSERVATION DISTRICT. Soil and Water Conservation District of Lake County.

CONSERVATION RESIDENTIAL DEVELOPMENT. The development of land for residential uses that requires the reservation of open space pursuant to the requirements of §§ 151.125 through 151.132. A **CONSERVATION RESIDENTIAL DEVELOPMENT** may contain one or more of the following housing types: detached house (single family), lot-line house, village house, twinhouse, patio house, atrium house, townhouse, multiplex and/or multi-dwelling structure, as fully described in § 151.130.

CONTRACTOR. Any person or firm engaged in construction, building services, or maintenance, on a contract basis.

CONTRACTOR'S MODEL HOME. A temporary retail sales and/or service use consisting of a building, or portion thereof, designed as a dwelling unit and constructed in a residential development for the purpose of temporary marketing and/or sales of lots or dwelling units within the development in which it is located.

CONTROL, HORIZONTAL AND VERTICAL GROUND. A system of photo-identifiable points with established positions or elevations, or both, which are used as fixed references in positioning and correlating map features.

CONTROL STRUCTURE. A structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

CONVENTIONAL RESIDENTIAL DEVELOPMENT. The development of land for detached house (single family) dwelling units that requires no minimum reservation of open space pursuant to the requirements of §§ 151.125 through 151.132.

CORNER LOT. See **LOT, CORNER.**

CORRAL/PADDOCK. An enclosure for confining and/or exercising animals which is generally located adjacent or in close proximity to a stable or barn.

CRITICAL DURATION. The design storm duration for a given frequency storm which produces the greatest peak flow, volume, or stage by analyzing all durations presented in Appendix K.

CUL-DE-SAC. A street ending in a turnaround, designed and intended as a permanent or temporary terminus.

CUSTOMARY HOME OCCUPATIONS. A business, profession, or trade commonly practiced within a principal residence.

CUTOFF. The point at which all light rays emitted by a lamp, light source, or luminaire are completely eliminated (cutoff) at a specific angle above the ground.

CUTOFF ANGLE. The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source, above which no light is emitted.

DAM. 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. Underground water storage tanks are not included.

DAMAGE. For the purpose of interpreting the provisions of §§ 151.145 through 151.154 only, **DAMAGE** shall mean a measurable rise in flood heights on property currently subject to flooding, flooding of property currently not subject to flooding unless it is contained within the streambanks or a deed- or plat-restricted area or increases in velocity to the point where the rate of land lost to erosion and scour is significantly increased.

DAY. A work day on which county offices are open for business, exclusive of weekends and holidays, as established by the County Board.

DAY, CALENDAR. A calendar day.

DAY CARE FACILITY.

(1) Any facility which is established and maintained for the general care of children or adults. Whether established for gain or otherwise, a day care facility receives or arranges for care or placement of more than seven individuals unrelated to the operator of the facility.

(2) The term **DAY CARE FACILITY** includes facilities commonly called **CHILD CARE CENTERS, DAY NURSERIES, NURSERY SCHOOLS, ADULT DAY CARES** and **KINDERGARTENS** but does not include any state operated institution for child care, any juvenile detention housing, any licensed nursing home, or any bona fide boarding school.

DECISION-MAKING BODY. The entity that is authorized to finally approve or deny an application or permit required under this chapter.

DEDICATION. The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee simple interest or of a less than fee interest, including an easement.

DEED OR PLAT RESTRICTION. Permanent easements, covenants, deed-restricted open spaces, outlots dedicated to a public entity, reserved plat areas, and conservation easements dedicated to meet the requirements of this chapter, or public road rights-of-way that contain any part of the stormwater management system of a development.

DENSITY, MAXIMUM. The maximum number of dwelling units allowed per acre of site area, after subtracting land area in regulatory floodplains, wetlands, water bodies and public rights-of-way from the base site area. See § 151.131(F).

DEPRESSIONAL STORAGE AREAS. Non-riverine depressions in the earth where stormwater collects.

DESIGN STORM. A selected storm event, described in terms of the probability of occurring once within a given number of years, for which stormwater or flood control improvements are designed and built.

DESIGNATED CAREGIVER. A person who:

- (1) Is at least 21 years of age;
- (2) Has agreed to assist with a patient's medical use of cannabis;
- (3) Has not been convicted of an excluded offense; and
- (4) Assists no more than one registered qualifying patient with his or her medical use of cannabis.

DESIGNATED EROSION CONTROL INSPECTOR.

(1) A person responsible for, at a minimum, verifying compliance and ongoing maintenance of the approved soil erosion and sediment control plan measures of a development and who is recommended to meet the minimum qualification requirements of subsections (1)(a), (1)(b), and (1)(c) as follows:

- (a) Provide a one-page statement of qualifications in the areas noted below and a request to be included on the Lake County Stormwater Management Commission Designated Erosion Control Inspector qualified listing. The signed statement will be considered as evidence of qualifications.
- (b) Pass the Designated Erosion Control Inspector Exam that is administered by the Lake County Stormwater Management Commission.
- (c) Complete a Lake County Stormwater Management Commission-approved soil erosion and sediment control course and meet the requirements of one of the following:
 1. Have an official designation as a Certified Professional in Erosion and Sediment Control (CPESC) or Certified Erosion, Sediment and Stormwater Inspector (CESSWI);
 2. Two years cumulative experience in the Upper Midwest Region on soil erosion and sediment control inspections.

(2) The listing of Designated Erosion Control Inspectors shall be officially updated every three years by the Lake County Stormwater Management Commission. Continuing education requirements shall be as follows:

(a) Attendance at each annual DECI training seminars shall be sufficient for the three-year listing period.

(b) Alternatively, DECI must attend 24 hours of work-related professional development hours within the three-year period for relisting.

(3) Documentation shall be self-monitoring and shall be provided to Lake County Stormwater Management Commission upon application for listing.

DESIGNATED EROSION CONTROL INSPECTOR EXAM. An exam that is formally adopted and administered by the Lake County Stormwater Management Commission to establish minimum qualifications for an individual to be listed as a Designated Erosion Control Inspector by the Lake County Stormwater Management Commission. Formal adoption of this exam by the Lake County Stormwater Management Commission shall include the determination of a starting date for the Designated Erosion Control Inspector Program requirements in this chapter.

DETENTION FACILITY. A man-made structure, with either a wet or dry bottom, for the temporary storage of stormwater runoff with controlled release during or immediately following a storm.

DETENTION STORAGE. The temporary detaining or storage of stormwater in reservoirs, on rooftops or other areas under predetermined and controlled conditions, with a controlled rate of discharge therefrom.

DETENTION VOLUME SAFETY FACTOR. A multiplication factor applied to a development's detention volume when the detention facility is constructed on-stream.

DEVELOPER. The legal or beneficial owner or the representative thereof, of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase.

DEVELOPMENT. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alternation, relocation, or enlargement of any buildings; any use or change in use of any buildings or land; any extension of any use of land or any clearing, grading, excavation or other movement of land, for which permission may be required pursuant to this chapter. For stormwater management purposes, **DEVELOPMENT** includes any other activity that might change the direction, height, volume, or velocity of flood or surface water, including the drainage of wetlands and removal of vegetation to the extent such that the wetland would no longer meet the criteria of supporting hydrophytic vegetation as defined in this chapter except that which would be considered appropriate for management purposes.

DEVELOPMENTAL DISABILITY. A physical or mental impairment that substantially limits one or more of a person's major life activities, impairs his or her ability to live independently, or a record of having the impairment.

DIAMETER AT BREAST HEIGHT (DBH). A measurement of the size of a tree equal to the diameter of its trunk measured four and one-half feet above natural grade.

DIRECT DISCHARGE. Discharges of stormwater that have not passed through a detention or retention facility designed to the specification of this chapter.

DISCHARGE. The outflow of water, silt, or other mobile substances passing along a conduit, watercourse, or a channel or released from detention storage.

DOMINANT. For the purpose of this chapter, a **DOMINANT** plant species is one that comprises greater than 50% of the vegetated layer. The **VEGETATED LAYER** is defined as a subunit of a plant community in which all component species exhibit the same growth form (e.g., trees, saplings, shrubs, herbs).

DRAIN TILE. A conduit, such as corrugated plastic tubing, clay tile, or pipe, installed beneath the ground surface to collect and/or convey drainage water.

DRAINAGE. The removal of surface water or groundwater from land by drains, grading, or other means. **DRAINAGE** includes the control of runoff to minimize erosion and sedimentation during or after development and includes the means necessary for water supply preservation or for prevention or alleviation of flooding.

DRAINAGE AREA. The land area above a given point that contributes stormwater to that point.

DRAINAGE BASIN. Subwatershed as indicated in the Lake County Comprehensive Stormwater Management Plan.

DREDGING MATERIAL. Material, including sediments and debris, which are excavated or dredged from the bottom of lakes, rivers, ponds, channels and other water bodies.

DRIP LINE. The perimeter of the circular area surrounding the trunk of a tree measured as one foot of radius from the centerline of the trunk for each one inch of DBH.

DRIVE-IN THEATER. An outdoor movie theater designed to allow patrons to view motion pictures while seated in their parked automobiles.

DRY DETENTION FACILITY. A dry detention facility is a detention facility designed to drain completely after temporary storage of stormwater flows and to normally be dry over the majority of its bottom area.

DUPLEX. Two dwelling units within a single structure located on one lot. (See also **TWINHOUSE**.)

DWELLING, ACCESSORY. See **ACCESSORY DWELLING**.

DWELLING, ATRIUM HOUSE. See **ATRIUM HOUSE**.

DWELLING, ATTACHED. See **ATTACHED DWELLING**.

DWELLING, DETACHED. Same as **HOUSE, DETACHED**.

DWELLING, DUPLEX. See **DUPLEX**.

DWELLING, LOT LINE HOUSE. See **LOT LINE HOUSE**.

DWELLING, MANUFACTURED HOME. See **MANUFACTURED HOME**.

DWELLING, MOBILE HOME. See **MOBILE HOME.**

DWELLING, MULTI- (STRUCTURE). See **MULTI-DWELLING STRUCTURE.**

DWELLING, MULTIPLEX. See **MULTIPLEX.**

DWELLING, PATIO HOUSE. See **PATIO HOUSE.**

DWELLING, SINGLE FAMILY. A dwelling containing one dwelling unit.

DWELLING, TOWNHOUSE. See **TOWNHOUSE.**

DWELLING, TWINHOUSE. See **TWINHOUSE.**

DWELLING UNIT. A building or portion of it designed and used for residential occupancy by a single household and that includes exclusive sleeping, cooking, eating, and sanitation facilities. A single **DWELLING UNIT** shall contain no more than one set of cooking facilities. Any additional cooking facilities must be clearly accessory in nature.

DWELLING UNIT, CARETAKER'S. See **CARETAKER'S DWELLING UNIT.**

DWELLING, VILLAGE HOUSE. See **VILLAGE HOUSE.**

ELEVATION CERTIFICATES. A form published by the Federal Emergency Management Agency that is used to certify the elevation to which a building has been elevated.

EMERGENCY OVERFLOW. The structure in a stormwater management system designed to protect the system in event of a malfunction of the primary flow structure or a storm event greater than the system design. The **EMERGENCY OVERFLOW** capacity initiates at the facility design high water level or base flood elevations.

ENCLOSED, LOCKED FACILITY. A room, greenhouse, building, or other enclosed area equipped with locks or other security devices that permit access only by a cultivation center's agents or a dispensing organization's agent working for the registered cultivation center or the registered dispensing organization to cultivate, store, and distribute cannabis for registered qualifying patients.

ENGINEER. A licensed professional engineer licensed to practice in the State of Illinois.

ENGINEER OF RECORD. An engineer that designed and certified the final engineering plans or the engineer responsible for the design of engineering improvements in the subdivision and certifies those improvements.

EQUINE. A horse, pony, mule, or ass.

EROSION. The process whereby soil is removed by precipitation, flowing water, wave action, or wind.

EXCAVATION. Any act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

EXCEPTIONAL FUNCTIONAL VALUE WETLAND. See **WETLAND, EXCEPTIONAL FUNCTIONAL VALUE.**

FAMILY. See **HOUSEHOLD.**

FARM ANIMALS. Any animal customarily raised on farms, including alpaca, llama, burros, cattle, bison, mink, chickens, turkeys, ducks, geese, donkeys, emus, goats, horses, mules, ostriches, swine, sheep, or lambs.

FARM HOUSING. Temporary housing that is intended to accommodate individuals primarily engaged in the occupation of agriculture. The term includes housing occupied by farm workers, farm employees or farm owners engaged in the full-time occupation of agriculture, and their families.

FARMED WETLAND. Wetlands that are farmed currently, or have been farmed within five years previous to the permit application date, as defined in 7 C.F.R. Part 12 (61 FR 47025).

FEDERAL EMERGENCY MANAGEMENT AGENCY. The Federal Emergency Management Agency and its regulations codified as 44 C.F.R. 59-79 effective as of October 1, 1986. This incorporation does not include any later editions or amendments.

FEE-IN-LIEU OF ON-SITE STORMWATER STORAGE. A fee assessed to a permit applicant used to contribute to the cost of a basin plan or floodplain study components; or other stormwater system improvements, "in-lieu-of" constructing on-site detention or for compensatory storage requirements for streambank and shoreline restoration fills of less than 200 cubic yards.

FILL. Earth, sand, gravel, rock, concrete without metal reinforcement, or other material, excluding asphalt, biodegradable material, such as wood, hazardous waste and special waste (as determined by the Illinois Environmental Protection Agency), which is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved by man to a new location.

FILL/GRADE OPERATION. The acceptance, collection, accumulation, or aggregation of fill from off-site sources. It includes any property used for the permanent storage or stockpiling of such material on-site, or temporary storage or stockpiling of such material for use at any other location.

FILLING. The act of depositing fill on land, whether submerged or not.

FILLING, DEEP. Filling of the regulatory floodplain which raises the land surface elevation above that of the base flood elevation (see also § [151.149](#)).

FILLING, SHALLOW. Filling of the regulatory floodplain to realign contours, protect seawalls, or make yards or lands more useful which does not raise the land surface elevation above the base flood elevation (see also § [151.149](#)).

FINAL DEVELOPMENT PLAN. The specific design of all physical planning and engineering elements necessary to develop the land in substantial compliance with the approved preliminary development plan.

FLAG. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

FLOOD. A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation of runoff of surface waters from any source.

FLOOD INSURANCE RATE MAPS. A map prepared by Federal Emergency Management Agency or U.S. Department of Housing and Urban Development that depicts the Special Flood Hazard Area within a community. This map includes insurance rate zones and regulatory floodplains and may or may not depict regulatory floodways.

FLOODPLAIN MANAGEMENT. An overall program of corrective and preventive measures for avoiding or reducing future flood damage.

FLOODPLAIN, REGULATORY. May be either riverine or non-riverine depressional areas. Except for coastal flooding effects of Lake Michigan, floodplain boundaries shall be delineated by projecting the base flood elevation onto the best available topography and by superimposing the Special Flood Hazard Area onto the base map. **REGULATORY FLOODPLAINS** include:

(1) Any riverine area inundated by the base flood where there is at least 640 acres of tributary drainage area;

(2) Any non-riverine area with a surface area of one-fourth acre or more, or with a storage volume of three-fourths acre-foot or more when inundated by the base flood; or

(3) Any area indicated as a Special Flood Hazard Area on the Federal Emergency Management Agency Flood Insurance Rate Map or Letter of Map Revision and located with the best available topographic information to be inundated by the base flood.

FLOODPLAIN STUDY. A study, formally adopted by the Lake County Stormwater Management Commission, excluding base flood determinations performed for a specific development site, that examines, analyzes, evaluates, or determines the hydraulic and hydrologic characteristics of flood hazards for a basin or partial basin area. To be used as a regulatory instrument, the study shall, at a minimum, meet the Federal Emergency Management Agency criteria specified in Guidelines and Specifications for Flood Hazard Mapping Partners, most current version.

FLOOD-PRONE AREA. Any area inundated by the base flood, including such areas outside of the regulatory floodplain.

FLOOD-PRONE AREA. Any area inundated by the base flood.

FLOOD-PROOFING. Any combination of structural and non-structural additions, changes or adjustments to structures or property which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOOD-PROOFING CERTIFICATE. A form published by the Federal Emergency Management Agency that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

FLOOD PROTECTION ELEVATION. The base flood elevation plus two feet of freeboard.

FLOOD TABLE LAND. The land area immediately adjacent to flood-prone areas with greater than 100 acres of tributary drainage area, the elevation of which is greater than the base flood elevation by two feet or less.

FLOODWAY, REGULATORY. The channel, including on-stream lakes, and that portion of the regulatory floodplain adjacent to a channel as designated by Illinois Department of

Transportation, Office of Water Resources, which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than a one-tenth foot increase in stage due to the loss of flood conveyance or storage, and no more than a 10% increase in velocities. The location of the regulatory floodway shall be as delineated on the maps listed in Appendix M, as may be amended by the Federal Emergency Management Agency. Where interpretation is needed to determine the exact location of the regulatory floodway boundary, Illinois Department of Transportation, Office of Water Resources shall be contacted.

The need to preserve storage when defining the regulatory floodway will be waived by the SMC if the applicant receives approval from IDNR/OWR 3708.60.d Floodway Construction in Northeastern Illinois.

FLOOR AREA. The sum of the gross area for each of a building's stories under roof measured from the exterior limits or faces of the structure. Parking structures providing spaces to meet minimum off-street parking standards of § 151.165 shall not be counted as **FLOOR AREA**.

FLOOR AREA FACTOR. An intensity measurement expressed as the total floor area per net site area.

FOOTCANDLE. A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one standard candle.

FORESTED WETLAND. A wetland area with 30% or greater aerial coverage of trees. Trees referred to as woody plants that are greater than three inches in diameter at breast height (DBH) and with a height of greater than 20 feet.

FORESTRY. The clearing of forested or woodland areas, including mature woodlands and young woodlands as defined by this chapter.

FRAMEWORK PLAN. A component of the Comprehensive Plan.

FREEBOARD. An increment of height added to the base flood or other high water elevation to provide a factor of safety for uncertainties in calculations, unknown local conditions, wave actions, and unpredictable effects such as those caused by ice or debris jams.

FREEWAY. A high volume traffic corridor which, together with other freeways, carries a high proportion of total area travel with a minimum of total mileage, and to which access is partially or fully controlled, often by public purchase of access rights or by designation pursuant to state statutes.

FUNCTIONAL ASSESSMENT. An assessment of a wetlands flood storage, water quality, and other beneficial functions.

GARAGE. A structure or part thereof, designed, used, or intended to be used for the parking and storage of motor vehicles.

GARDEN CENTER. A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, fertilizers, potting

soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

GENERAL CONSTRUCTION OR DEMOLITION DEBRIS. Non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and the demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous, painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials or as defined in § 3.160(a) of the Illinois Environmental Protection Act as amended.

GLARE. The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted and which causes annoyance, discomfort, or loss of visual performance and visibility.

GOLF COURSE. An area of land laid out for the game of golf with a series of holes and including tees, greens, fairways, and often one or more natural or artificial hazards.

GOVERNMENT BUILDING (OR USE). A building or structure owned or leased by a unit of government and used by the unit of government in exercising its statutory authority. **GOVERNMENT BUILDINGS** may include but shall not be limited to township and forest preserve structures, postal offices, public sewage treatment plants, public water treatment plants, fire stations, and public libraries.

GRADE, EXISTING OR NATURAL. The vertical elevation of the existing ground surface prior to excavation or filling.

GRADING. The contouring of land to a specified level or slope.

GREEN INFRASTRUCTURE. Any stormwater management technique or practice that reduces runoff volume through preserving, restoring, utilizing, or enhancing the processes of infiltration, evapotranspiration, and reuse. Approaches may include green roofs, naturalized detention facilities, trees and tree boxes, rain gardens, vegetated swales, wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels and cisterns, and protection and enhancement of riparian buffers and floodplain.

GREENHOUSE. An enclosed structure, permanent or portable, which is used for the growth of plants.

GREENHOUSE AND/OR NURSERY CENTER. The retail or wholesale sale of plants, as well as accessory items directly related to the maintenance and care of plant life. The accessory items normally sold are clay pots, potting soil, fertilizers, insecticides, hanging baskets, rakes, hoes and shovels, and the like. However, no power equipment, such as gas or electric lawnmowers and farm implements, may be sold wholesale or retail.

GROUND-MOUNTED SOLAR ENERGY SYSTEM. A solar energy system mounted on a rack or pole that is attached to or ballasted on the ground. **GROUND-MOUNTED SYSTEMS** can be either accessory or principal uses.

GROUP LIVING. Residential occupancy of a structure by a group of people who do not meet the definition of “household living”. Examples include dormitories, fraternities, sororities, monasteries, and convents.

GROUP LIVING STRUCTURE. A structure that is used as a residence for a group living use and that contains sleeping areas and one or more cooking, eating, and sanitary facilities.

GROVE. A stand of five or more individual trees whose total combined canopy covers an area of less than 20,000 square feet, at least 50% of which is composed of trees having a diameter breast height of 16 inches or more. An active commercial nursery or Christmas tree operation shall not be considered a **GROVE**.

HEIGHT. The vertical distance between the mean elevation at finished grade along the front of a structure to the highest point of the roof.

HELIPORT. A facility constructed for the taking off and landing of helicopters.

HIGH-QUALITY AQUATIC RESOURCES (HQAR). Waters of the United States or isolated waters of Lake County that are determined to be critical due to their uniqueness, scarcity, function, and/or value as defined in Appendix N of this chapter.

HIGHWAY DESIGN MANUAL. The Design Manual or its successor document or documents, as published by the Illinois Department of Transportation in effect at the time a preliminary plat is approved.

HIGHWAY STANDARD MANUAL. The Standards Manual or its successor document or documents, as published by the Illinois Department of Transportation in effect at the time a preliminary plat is approved.

HOSPITAL. A health-medical use devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, and overnight care of individuals suffering from illness, disease, injury, deformity, or other abnormal physical, mental, or emotional conditions or afflictions.

HOSPITAL EMERGENCY HELIPORT. A facility constructed for the taking off and landing of helicopters as a means of providing medical emergency transport. This heliport shall be considered an accessory use to the hospital, shall be used exclusively in connection with the hospital, and shall be subordinate to the hospital in area, extent, and purpose.

HOTEL. A building designed for transient occupancy containing rooms or suites accessible from a common hall or entrance, providing living, sleeping and toilet facilities; individual cooking facilities, a general kitchen or a common dining room may be provided.

HOUSE, ATTACHED. Same as **DWELLING, ATTACHED**.

HOUSE, DETACHED. A dwelling unit located on its own lot that is not attached to any other dwelling unit.

HOUSEHOLD. Any of the following:

(1) Two or more persons related to one another by blood, marriage, or legal adoption, living together as a single housekeeping unit in a dwelling unit;

(2) Up to four unrelated persons living together as a single housekeeping unit in a single dwelling unit; or

(3) Up to eight persons with disabilities and attendant support staff living together as a single housekeeping unit in a single dwelling unit.

HYDRAULICALLY EQUIVALENT COMPENSATORY STORAGE. Compensatory storage placed between the proposed normal water elevation and the proposed 100-year flood elevation. All storage lost or displaced below the existing ten-year flood elevation is replaced below the proposed ten-year flood elevation. All storage lost or displaced above the existing ten-year flood elevation is replaced above the proposed ten-year flood elevation. The additional compensatory storage required beyond a 1:1 ratio may be placed at any elevation between normal water level and the base flood elevation.

HYDRIC SOIL. A soil that is saturated, flooded, or ponded long enough during the growing season to develop an anaerobic (without oxygen) conditions in the upper part.

HYDROLOGIC AND HYDRAULIC CALCULATIONS. Engineering analysis which determines expected flood flows and flood elevations based on land characteristics and rainfall events.

HYDROLOGICALLY CONNECTED. A stormwater discharge that is tributary to a channel, wetland, lake, or pond and that has an overland flow path of less than 200 feet.

HYDROLOGICALLY DISTURBED. An area where the land surface has been cleared, grubbed, compacted, or otherwise modified to increase runoff volumes or rates, or to change runoff direction.

HYDROPHYTIC VEGETATION. Plant life growing in water, soil, or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content.

ILLICIT DISCHARGE. Any discharge or dumping of material into the stormwater management system or a flood-prone area that is not composed entirely of stormwater, except for discharges allowed under NPDES Permit No. ILR40 Part I.B.2.

ILLINOIS URBAN MANUAL. The Natural Resources Conservation Service Illinois Urban Manual. A technical manual designed for urban ecosystem protection and enhancement. This manual contains design guidance for a development site to meet the Watershed Development Ordinance performance standards for soil erosion and sediment control.

ILLUMINATED SIGN. Any sign that has characters, letters, figures, designs, or outlines illuminated by electric lights, luminous tubes, or any other artificial means as part of the sign.

ILLUMINATION, MAXIMUM PERMITTED. The maximum illumination measured in footcandles at the property line.

IMPERVIOUS SURFACE. Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

IMPERVIOUS SURFACE RATIO (ISR). A measure of the intensity of land use which is determined by dividing the total area of all impervious surfaces on a site by the net site area.

IMPROVEMENTS. Any man-made changes to any land or structure.

IMPROVEMENTS, PUBLIC. Any improvement necessary to provide for public needs.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM. A sewage treatment and disposal system that infiltrates treated wastewater into soil; discharges wastewater to the surface where the projected daily flow is less than 1,500 gallons; or holds wastewater in a tank for removal or disposal at a remote site.

IN-KIND REPLACEMENT (CULVERT). An **IN-KIND CULVERT REPLACEMENT** has an equivalent cross-sectional area, shape, roughness coefficient, and inlet and outlet elevations; or the replacement may be shown to have an equivalent hydraulic capacity using appropriate engineering calculations.

INSPECT. To visit, or to review plans, or to oversee a site visit or plan review per generally accepted engineering practices.

INTERIOR LOT. See **LOT, INTERIOR.**

INTERSECTION VISIBILITY TRIANGLE. An area formed by a point on each street center line located 100 feet from the intersection of local street center lines and a third line connecting the two points of 130 feet from the intersection of collector or higher category street center lines and a third line connecting the two points.

ISOLATED WATERS OF LAKE COUNTY. All waters such as wetlands, ponds, streams, farmed wetlands, and wetlands that are not under U.S. Army Corps of Engineers jurisdiction. The limits of the **ISOLATED WATERS OF LAKE COUNTY** extend to the ordinary high water mark or the delineated wetland boundary.

(1) The following are excluded from the **ISOLATED WATERS OF LAKE COUNTY**, as determined by the Enforcement Officer:

(a) Excavations and impoundments that have received a permit from the appropriate jurisdictional authority;

(b) Excavations and impoundments permitted by right, prior to being a regulated activity, within 40% or more non-hydric soils. Areas designated as "water" as depicted on the Soil Survey of Lake County, SCS, 1970 are determined as either hydric or non-hydric soils by connecting adjoining soil boundaries to create complete polygons of the depicted soil types;

(c) Wetlands created incidental construction grading on development sites; and

(d) Road-side ditches.

(2) The following shall not be considered as meeting the exclusion criteria in subsection (1) above:

(a) All areas meeting the definition of high-quality aquatic resources, other than areas meeting exclusions (1)(a) or (1)(d);

(b) Wetland mitigation areas created to meet the requirements of this chapter or § 404 of the Clean Water Act; and

(c) Wetland areas created or restored using public funds.

JUNK YARD. Any land or structure, exclusive of recycling centers, used for a salvaging operation, including, among other things, the storage and sale of waste paper, rags, scrap metal, and discarded materials, or the dismantling, storage, and salvaging of unlicensed, inoperative vehicles.

KENNEL. A location where the number of dogs or any other animal, except for farm animals, exceeds the residential pet limits established by the Lake County Health Department, or any place in or at which dogs or any other animals, except farm animals, are kept on a regular basis for the purpose of sale or in connection with boarding, training, care, or breeding or adoption.

LANDSCAPE ARCHITECT. A person with a degree in landscape architecture from an accredited university or college.

LANDSCAPE CONTRACTOR. A business principally engaged in the decorative and functional alteration, planting and maintenance of grounds. The business may engage in the installation and construction of underground improvements but only to the extent that the improvements (e.g., irrigation or drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

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 FACILITY. An establishment for the composting of waste materials accumulated as the result of the care of lawns, shrubbery, vines, and trees. However property on which the principal use is residential and on which composting of these materials, accumulated exclusively on-site, is conducted, shall not be considered a **LANDSCAPE WASTE COMPOSTING FACILITY**.

LETTER OF MAP AMENDMENT. Official determination by Federal Emergency Management Agency that a specific structure is not in a Special Flood Hazard Area, amends the effective Flood Hazard Boundary Map or Flood Insurance Rate Map.

LETTER OF MAP REVISION. A letter issued by Federal Emergency Management Agency or Illinois Department of Transportation, Office of Water Resources that revises base flood elevations, flood insurance rate zones, flood boundaries, or regulatory floodways as shown on an effective Flood Hazard Boundary Maps or Flood Insurance Rate Maps.

LETTER OF NO IMPACT (LONI). Written confirmation from Lake County Stormwater Management Commission or isolated wetland certified community that no wetland impacts will occur from a proposed development, based on a review of plans or other applicable information provided by the applicant as specified in this chapter.

LIMIT OF MODERATE WAVE ACTION (LimWA). A line shown on a Flood Insurance Rate Map to indicate the inland limit of the 1.5-ft breaking wave height during the base flood.

LINEAR WATER BODY. A natural or artificial watercourse that periodically or continuously contains moving water, or that forms a connecting link between two or more bodies of water. **LINEAR WATER BODIES** have a definite bed and banks that serve to confine the water and include any river, stream, creek, brook, branch, flowage, ditch, conduit, culvert, gully, ravine, swale, wash, or natural or man-made drainageway, in or into which surface water or

groundwater flows, either perennially or intermittently. Roadside drainage ditches, conveyance systems between on-site detention facilities and excavated detention facilities are not **LINEAR WATER BODIES**. **LINEAR WATER BODIES** are also known as **CHANNELS**. For the purposes of §§ 151.145 through 151.154 only, the terms **LINEAR WATER BODY** and **NONLINEAR WATER BODY** are interchangeable.

LIQUID EQUIVALENT PRECIPITATION. The amount of precipitation, including any frozen precipitation in its melted state (e.g., snow, sleet, freezing rain). With varying densities of frozen precipitation, the liquid equivalent precipitation indicates the actual amount of water that falls in a storm event, regardless of the type of precipitation.

LIVESTOCK. Animals that are customarily kept for producing food or fiber.

LOCAL FOOD GARDEN. A parcel or any portion thereof, managed and maintained by a person or group of persons, for the growing and harvesting of food products and/or ornamental plants, exclusive of those agricultural uses that require large-scale mechanized equipment not customarily used for residential gardening.

LOCAL FOOD PRODUCTION. The practice of producing food for the purposes of consumption or sale at a local market, such as growing vegetables and fruits and raising livestock. **LOCAL FOOD PRODUCTION** also includes the growing of vegetables and fruits and the keeping of chickens or bees, as a residential accessory use.

LOCAL STREET. See **STREET, LOCAL**.

LOT. A single legally divided parcel of land.

LOT AREA. The area contained within the boundary lines of a lot, excluding any street, easement for street purposes, or street right-of-way.

LOT, CORNER. A lot abutting on two streets at their juncture.

LOT, DOUBLE-FRONTAGE. A lot abutting on two parallel streets, or abutting on two intersecting streets at points removed from their juncture.

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

LOT LINE. A line bounding a lot which divides one lot from another or from a street or any other public or private space.

LOT LINE, FRONT. The part of the entire interior lot abutting the street or that part of a corner lot extending across the narrowest part of the lot abutting the street. Double frontage lots have two **FRONT LOT LINES**.

LOT LINE HOUSE. A dwelling unit that is located on its own lot, not attached to any other dwelling unit and set on or within five feet of the interior side lot line.

LOT LINE, REAR. The lot line which is parallel to and most distant from the front lot line; in the case of a triangular or an irregular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front lot line shall be considered to be the **REAR LOT LINE**.

LOT LINE, SIDE. Any lot line other than a street or rear lot line.

LOT LINE, STREET. In the case of a lot abutting only one street, the lot line separating a lot from the street; in the case of a corner lot, each lot line separating the lot from a street; in the case of a double frontage lot, each lot line separating the lot from a street shall be considered to be the **STREET LOT LINE**.

LOT, PANHANDLE. A lot resulting from the division of a tract of land that, before its division, did not have sufficient width on a street to create more than one lot abutting the street but had sufficient area and depth to be divided into more than one buildable lot.

LOT WIDTH. The horizontal distance between side lot lines. **LOT WIDTH** shall be measured between side lot lines at the required front setback line. (See also § [151.131\(B\)](#).)

LOT, ZONING. A parcel of land comprised of one or more recorded lots that are contiguous and under the same ownership and in the same zoning district; occupied or intended to be occupied by a principal building or buildings, or principal use or uses, along with permitted accessory buildings or uses; and meeting all of the requirements for area, buildable area, frontage, width, setbacks, and any other requirements set forth in this chapter. Lots separated by streets or alleys shall not be considered contiguous for the purposes of this definition.

LOW-FREQUENCY SOUND. Sound with frequencies below 100 Hz, including audible sound and infrasound, as opposed to broadband which has sound frequencies above 100 Hz. Infrasound has frequencies below 20 Hz, which if sufficiently intense, can be perceived by many individuals, and must be measured by a sound level meter using the C-weighted scale.

LOW OPENING ELEVATION. The elevation at which water could enter a structure through any non-watertight opening such as a doorway threshold, a window sill, or a basement window well.

LOWEST ADJACENT GRADE. The lowest finished grade adjacent to a structure.

LOWEST FLOOR. Lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, or building access in an area other than a basement area is not considered a building's lowest floor; provided, that the requirements of § [151.149\(H\)](#) are met.

LUMINAIRE. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

LUMINAIRE, CUTOFF-TYPE. A luminaire with elements such as shields, reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than 90 degrees.

MAINTAINABLE OUTLET. A stormwater conveyance system (such as a storm sewer or overland flow path) that provides positive drainage to a natural watercourse or stormwater management system. The natural watercourse or stormwater management system shall have adequate downstream capacity. Stormwater management systems shall be within a recorded drainage easement or right-of-way.

MANUFACTURED HOME. A dwelling manufactured off-site which complies with the provisions of the 2018 International Residential Code (see [Chapter 150](#)).

MARINA. A boat basin and recreational facility, located on waterfront property or having direct water access, providing moorings for boats, and one or more of the following facilities: boat

launching ramps, boat livery, boat sales, maintenance shops, marine supply store, and fuel dock.

MATURE WOODLAND. See **WOODLAND, MATURE.**

MAXIMUM EXTENT PRACTICABLE (MEP).

(1) For the purposes of this chapter, the maximum extent practicable (MEP) is defined as the highest level of Runoff Volume Reduction (RVR) that is achievable for the development as determined by the applicant and approved by the Planning, Building and Development Director (see Appendix R for runoff volume reduction quantities). The MEP RVR quantitative standard for the development shall not be required to exceed the minimum performance standards identified in § 151.146(D). For public road developments, the MEP shall not necessitate the need to acquire right-of-way or deed and plat restricted areas outside of the right-of-way.

(2) In making the determination that the RVR quantitative standard for the development is the MEP, the following objectives should be considered, when applicable, including, but not limited to:

- (a) Prevention or reduction of existing, adjacent flood-related problems;
- (b) Examination of adequate downstream capacity from the development;
- (c) Preservation of existing wetland hydrology;
- (d) Protection of adjacent streams from degradation due to increased volumes and prolonged bankfull flows;
- (e) Minimization of off-site water quality impacts;
- (f) Enhancements of aquifer recharge on-site;
- (g) Evaluate geographic features of the site (e.g., topography, soil structure, natural resources);
- (h) Utilize best available and feasible technology;
- (i) Maximize performance of the design; and
- (j) Provide for sustainability through maintenance and management of the installed practices.

MEDIAN FAMILY INCOME. As defined by the U.S. Department of Housing and Urban Development.

MEDICAL CANNABIS INFUSED PRODUCT. Food, oils, ointments, or other products containing usable cannabis that are not smoked.

MEDICAL CANNABIS CONTAINER. A sealed, traceable, food compliant, tamper resistant, tamper evident container or package used for the purpose of containment of medical cannabis from a cultivation center to a dispensing organization.

MEDICAL CANNABIS CULTIVATION CENTER (CULTIVATION CENTER). A facility operated by an organization or business that is registered by the Illinois Department of

Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

MEDICAL CANNABIS DISPENSING ORGANIZATION (DISPENSING ORGANIZATION, DISPENSARY ORGANIZATION, DISPENSARY). A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

MINIMUM FLOOR ELEVATION. The lowest elevation permissible for the construction, erection, or other placement of any floor, including a basement floor.

MINI-WAREHOUSE. See **WAREHOUSE, MINI.**

MITIGATION. Measures taken to eliminate or minimize damage from development activities, such as construction in wetlands or regulatory floodplain filling, by replacement of the resource or other means of compensation.

MOBILE HOME. A transportable, factory-built structure that was manufactured prior to enactment of the federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401) or a manufactured home build subsequent to and in compliance with the federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401) and that is designed to be used as a single dwelling unit.

MOBILE HOME PARK. A contiguous parcel of land which has been developed for the placement of mobile homes and is owned in its entirety by an individual, a firm, trust, partnership, public or private association or corporation.

MODERATE WAVE ACTION AREA (MoWA). A special flood hazard area subject to the potential for breaking wave heights of greater than or equal to one and one-half feet, but less than three feet, where the primary source of flooding is astronomical tides, storm surges, seiches, and/or tsunamis. A **MoWA** is an area within zone AE on a FIRM that is between the inland limit of zone VE and a Limit of Moderate Wave Action, where identified. (Also known as "Coastal A zone.")

MOTEL. A building designed for transient occupancy containing rooms or suites with separate entrances, providing living, sleeping, and toilet facilities. Individual cooking facilities may be provided.

MULTI-DWELLING (STRUCTURE). A structure that contains more than eight dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. **MULTI-DWELLING** includes structures commonly called apartments and condominiums. (See also **MULTI-DWELLING STRUCTURE** standards of § 151.130.)

MULTIPLEX. An attached dwelling or a stacked dwelling containing no fewer than three and no more than eight dwelling units within a single building, each (building) of which is located on its own individual lot. (See also **MULTIPLEX** standards of § 151.130.)

NATIVE VEGETATION (OR PLANT SPECIES). [Tree, shrub and other](#) ~~P~~plant species ~~grown~~ [living](#) in the Chicago region [and Northeastern Illinois](#), specifically this county, prior to European

settlement of the region. (See Plants ~~in~~ of the Chicago Region, [Floyd Swink and Gerald Wilhelm](#), Indiana Academy of Sciences.)

NATURAL. When used in reference to streams, channels, and linear water bodies, means those streams, channels, and linear water bodies formed by the existing surface topography of the earth prior to changes made by man. A modified stream, channel, or linear water body that has regained **NATURAL** characteristics over time as it meanders and reestablishes vegetation may be considered **NATURAL**.

NATURAL RESOURCES. All areas of wetlands, floodplains, linear and nonlinear water bodies, woodlands, and significant trees, as defined in this chapter.

NET SITE AREA. The buildable portion of a lot, as calculated in accordance with § [151.070](#)(D).

NGVD. National Geodetic Vertical Datum of 1929. Superseded by NAVD 88, effective September 18, 2013.

NIGHTCLUB. An establishment serving liquor and/or food while providing space for music, dancing, floor shows, or comedy acts. A **NIGHTCLUB** shall not include activities or uses as defined by this chapter as an **ADULT ENTERTAINMENT ESTABLISHMENT**.

NOISE. Sound that adversely affects the psychological or physiological well-being of people.

NON-COMMERCIAL MESSAGE. Any sign, wording, logo, or other representation that directly or indirectly expresses, conveys, or calls attention to political, religious, social, or other non-commercial information, sentiments, or beliefs, but not including incidental sign messages.

NON-CUSTOMARY RECREATIONAL STRUCTURE. A recreational structure intended for the private use of occupants of a principal dwelling and their guests. Examples of **NON-CUSTOMARY RECREATIONAL STRUCTURES** include but are not limited to skateboard/bike ramps, sports courts, and ice rinks.

NONLINEAR WATER BODY. A natural or artificial body of water that retains water year-round, other than a linear water body, such as depressional ponded areas, lakes, and sloughs. For the purposes of §§ [151.145](#) through [151.154](#) only, the terms **LINEAR WATER BODY** and **NONLINEAR WATER BODY** are interchangeable.

NON-PARTICIPATING PROPERTY. A different property that is not owned by the owner of the property on which a development is being proposed or installed.

NON-PARTICIPATING RESIDENCE. A residence that is located on non-participating property and that is existing and occupied on the date that an application for a conditional use permit application to develop the commercial solar energy system is filed with the county.

NONRESIDENTIAL ZONING DISTRICT. All zoning districts except those classified as residential zoning districts. See Residential Zoning District.

NON-RIVERINE REGULATORY FLOODPLAIN. Regulatory floodplains not associated with streams, creeks, or rivers, such as isolated depressional storage areas or lakes.

NRI. Natural resources information report, as required by Illinois Statutes, 70 ILCS 405/22.02a.

NURSERY. A place where the primary activity is the growing of plants, flowers, trees, and shrubs for sale.

OCCUPIED COMMUNITY BUILDING. Any one or more of the following buildings that is existing and occupied on the date that the application for a conditional use permit to develop the commercial solar energy system is filed with the county: a school, place of worship, day care facility, public library, or community center.

ON-STREAM DETENTION. Any detention facility that has off-site tributary drainage area.

OPEN SPACE RATIO. A ratio derived by dividing open space by the net site area.

OPEN WATERS. Permanently inundated isolated waters of Lake County that are greater than three feet in depth below the normal water level or normal pool elevation.

ORDINARY HIGH WATER MARK. The point on the bank or shore at which the presence and movement of surface waters are continuous so as to leave a distinctive mark, such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other recognized characteristics.

OVERLAND FLOW PATH. An area of land which conveys stormwater for all events up to and including the base flood event. The **OVERLAND FLOW PATH** can be estimated using readily available topographic information and shall take into account all on-site and off-site tributary areas in accordance with § [151.146\(H\)](#).

OWNER. The person having the right of legal title or beneficial interest in or a contractual right to purchase a parcel of land. For the purpose of providing notices required by this chapter, the **OWNER** is the person who last paid taxes on any parcel as identified by county property tax records.

OWNERSHIP PARCEL. Any legally described parcel of land. This includes contiguous lots or parcels of land, owned in whole, or in part, by the same property owner.

PARCEL. Any legally described piece of land.

PARCEL IDENTIFICATION NUMBER. Permanent index number used to identify properties for tax assessment.

PARK, COMMERCIAL. Any park or recreation area for which an admission fee is charged.

PARK, COMMUNITY. Any non-commercial recreation area or park created as part of, or within the area covered by, a county approved subdivision plat.

PARK, NON-COMMERCIAL. A park or recreation area that is open to public and for which no fee is charged.

PARTICIPATING RESIDENCE. A residence that is located on participating property and that is existing and occupied on the date that a conditional use permit for a building permit to develop the commercial solar energy system is filed with the county.

PASTURE. An area of grass or other vegetative cover grown for the purpose of grazing animals.

PATIO HOUSE. A dwelling unit located on its own lot that may be attached to or detached from other dwelling units. A **PATIO HOUSE** lot is enclosed by a solid wall located at the lot line, broken only by driveways and pedestrian access points, thus creating a private yard area between the house and the wall. (See also the **PATIO HOUSE** standards of § 151.130.)

PEAK FLOW. The maximum rate of flow of water at a given point in a channel, watercourse, or conduit resulting from a specified storm or flood.

PEDESTRIANWAY. A right-of-way designated for use by pedestrian traffic.

PENNANT. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

PERMITTEE. Any person to whom a permit is issued.

PERSON. Any individual, public or private firm or corporation, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentalities, and any agent, servant, officer, or employee of any of the foregoing.

PLAT. Plat of subdivision, whether preliminary or final.

POND. A natural or artificial body of water of less than two acres that retains water year-round.

PRINCIPAL BUILDING. See **BUILDING, PRINCIPAL.**

PRINCIPAL USE. See **USE, PRINCIPAL.**

PRIVATE CLUB. See **CLUB, PRIVATE.**

PRIVATE STABLE. See **STABLE, PRIVATE.**

PROTECTED USE. Any of the following:

- (1) A church, synagogue, mosque, or other place of worship;
- (2) A public or private nursery, elementary, or secondary school;
- (3) A child care facility, licensed by the Illinois Department of Children and Family Services;
- (4) A public park, playground, playing field, forest preserve, or other recreational area;
- (5) A public or private cemetery; or
- (6) A public housing facility.

PUBLIC BODIES OF WATER. All open public rivers, streams, and lakes specifically designated by Illinois Department of Transportation, Office of Water Resources, that are capable of being navigated by watercraft, in whole or in part, for commercial uses and purposes, or which in their natural condition were capable of being improved and made navigable, or that

are connected with or discharged their waters into navigable lakes or rivers within, or upon, the borders of the State of Illinois, together with all bayous, sloughs, backwaters, lakes that are open to the main channel or body of water and directly accessible thereto.

PUBLIC FLOOD CONTROL PROJECT. A flood control project within a deed- or plat-restricted area, which will be operated and maintained by a public agency to reduce flood damages to existing buildings or structures. A land stewardship not-for-profit corporation or other similar entity may also own, operate or maintain a **PUBLIC FLOOD CONTROL PROJECT**. In this circumstance, there shall also be an executed agreement with a public agency to take over ownership, operation or maintenance if the corporation dissolves or fails to meet the operation, and maintenance requirements for the project area. The project shall include a hydrologic and hydraulic study of the existing and proposed conditions of the watershed area affected by the project. Nothing in this definition shall preclude the design, engineering, construction, or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

PUBLIC PARK. Park, noncommercial.

PUBLIC ROAD DEVELOPMENT. Any development activity which takes place in a public right-of-way, or part thereof, that is administered and funded in whole or in part, by a public agency under its respective roadway jurisdiction. Rehabilitative maintenance and in-kind replacement are considered to be a **PUBLIC ROAD DEVELOPMENT** if located in a regulatory floodplain. A **PUBLIC ROAD DEVELOPMENT** located within a regulatory floodway and which has been approved by the Illinois Department of Transportation, Division of Highways (IDOT/DOH), Bureau of Local Roads and Streets is exempt from the hydraulic analysis requirements of this chapter. Individual recreational trail systems being constructed that are not part of another development project and linear railroad development projects shall be considered **PUBLIC ROAD DEVELOPMENTS** with respect to the requirements of this chapter.

PUBLICLY DEDICATED ROAD RIGHT-OF-WAY. Any street which is dedicated for public road purposes.

RATED NAMEPLATE CAPACITY. The maximum rated output of electric power production of the photovoltaic system in watts of direct current (DC).

REAR LOT LINE. See **LOT LINE, REAR.**

REAR SETBACK. See **SETBACK, REAR.**

REASONABLY FEASIBLE ALTERNATIVE. An option that does not involve physical or economic hardships that would render a development project infeasible and that is not unreasonable in the determination of the Planning, Building and Development Director.

RECONSTRUCTION. The act of rebuilding a structure.

RECORD DRAWINGS. Construction drawings revised to show significant changes made during the construction process, usually based on marked-up prints, drawings and other data furnished by the contractor to the Enforcement Officer.

RECREATIONAL VEHICLE. A vehicle that is built on a single chassis and that has a total area of 400 square feet or less when measured at the largest horizontal projection. The vehicle must be designed to be self-propelled or permanently towable by a light-duty truck.

Furthermore, the vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling. **TRAVEL TRAILER, MOTOR-HOME, CAMPING TRAILER,** and **PICKUP COACH** are deemed synonymous with **RECREATIONAL VEHICLE. RECREATIONAL VEHICLES** must be road-ready at all times when located within the floodplain.

RECREATIONAL VEHICLE PARK. A parcel on which campsites are established for occupancy by recreational vehicles of the general public as temporary living quarters for purposes of recreation or vacation.

RECREATIONAL VEHICLE, ROAD-READY. A recreational vehicle that is on its wheels or a jacking system and is attached to the site only by quick-disconnect type utilities and security devices. The hitch must remain on the vehicle at all times, and the vehicle's wheels must remain on its axles, with tires inflated.

RECYCLING CENTER. A land use devoted to the receipt, separation, storage, baling, conversion, and/or processing of recyclable materials.

REGULATORY FLOODPLAIN. See **FLOODPLAIN, REGULATORY.**

REGULATORY FLOODWAY. See **FLOODWAY, REGULATORY.**

REHABILITATIVE MAINTENANCE (ROADWAY). Repair or maintenance that does not increase the traffic lanes and does not involve changes to the roadway elevation.

REPAIR, REMODELING, OR MAINTENANCE. Activities which do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

REPETITIVE LOSS. Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each flood event on the average equals or exceeds 25% of the market value of the structure before the damage occurred.

RESIDENTIAL PROPERTY. Any lot or other tract of land zoned in any of the following zoning districts: RE, E, R-1, R-2, R-3, R-4, R-5, R-6, and RR.

RESIDENTIAL ZONING DISTRICT. Any RE, E, R-1, R-2, R-3, R-4, R-5, R-6, and RR Zoning District.

RESTAURANT, CLASS "A" (i.e., "FAST FOOD"). A restaurant which exhibits any three or more of the following characteristics:

- (1) Provides drive-through service,
- (2) Sells prepared food ready to carryout,
- (3) Holds no county liquor license,
- (4) Does not accept dining reservations, or
- (5) Little or no advertising on an individual establishment basis.

RESTAURANT, CLASS “B” (i.e., “FAST CASUAL”). A restaurant which exhibits any three or more of the following characteristics:

- (1) Limited service or self-service format,
- (2) Significant portion of sales are carryout orders,
- (3) Holds a county-issued Class E county liquor license,
- (4) Does not accept dining reservations, or
- (5) Does little or no advertising on an individual establishment basis.

RESTAURANT, CLASS “C” (i.e., “FULL SERVICE”). A restaurant which exhibits any three or more of the following characteristics:

- (1) Full table service is available,
- (2) Holds a county-issued Class A, B, or E liquor license,
- (3) Meeting and/or banquet facilities incidental to the principal use are available,
- (4) Provides carryout in addition to full table service, or
- (5) Advertising primarily on an individual establishment basis.

RETAINING WALL. A structure used to accommodate a vertical grade change over a short horizontal distance.

RETENTION FACILITY. A facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, or pumping.

REVIEW BODY. The entity that is authorized to recommend approval or denial of an application or permit required under this chapter.

REVIEWING AGENCY. Any of the following agencies or individuals:

- (1) Cable television company;
- (2) County Board district member;
- (3) Electric company;
- (4) Fire Department/protection district;
- (5) Gas company;
- (6) Illinois Department of Natural Resources;
- (7) Illinois Department of Transportation;
- (8) J.U.L.I.E.;
- (9) Lake County Forest Preserve District;

- (10) Lake County Map Services;
- (11) Local postmaster;
- (12) Mayor/president of all municipalities within a one and one-half-mile radius of the subject property;
- (13) METRA and PACE;
- (14) Planning Building and Zoning Committee members;
- (15) Regional Superintendent of Schools;
- (16) Soil and Water Conservation District;
- (17) Sanitary District;
- (18) Lake County Stormwater Management Commission;
- (19) Superintendent, grade school district;
- (20) Superintendent, high school district;
- (21) Telephone company;
- (22) Township Assessor;
- (23) Township Highway Commissioner;
- (24) Township Supervisor; and
- (25) Water District.

RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, sanitary or storm sewer, electric transmission line, oil or gas pipeline, or for any other similar use as may be designated.

RIGHT-OF-WAY, ULTIMATE. The full width of right-of-way, as identified in Appendix B or as shown on transportation plans that have been adopted by the County Board, whichever width is greater.

RIVERINE. Relating to, formed by, or resembling a stream (including creeks and rivers).

ROAD. An approved place or way, however designated, for vehicular travel which affords principal means of access to abutting property, or other street.

ROADSIDE DITCHES. Drainage ditches within 25 feet from the edge of the outside travel lane.

RODEO. A public exhibition of cowboy skills, such as but not limited to bronco- and bull-riding, steer-wrestling, calf-roping and barrel racing.

ROOF-MOUNTED SOLAR ENERGY SYSTEM. A solar energy system that is fastened to or ballasted on a building roof. **ROOF-MOUNTED SYSTEMS** are accessory to the principal use.

SCHOOL. A place or institution that is recognized by the State Board of Education and provides basic education at the primary, elementary, middle, junior high, or high school level.

SCHOOL, PRIVATE. Any school that is not recognized by the State Board of Education. **PRIVATE SCHOOLS** may include but shall not be limited to business schools, trade schools, art schools, dance schools, or schools in other similar fields.

SEASONAL SALE OF FARM PRODUCE. A temporary use of land involving the retail sale of agricultural produce primarily grown on-site.

SEDIMENTATION. The process that deposits soils, debris, and other materials either on other ground surfaces or in bodies of water or watercourses.

SEMI-NUDE. A state of dress or undress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.

SERVICE STATION. An establishment providing retail sales of vehicle fuels which may also provide such services as lubrication, oil and tire changes, and minor repairs. This use does not include paint spraying or body repair.

SETBACK, REAR. A setback extending the full width of the lot in the area between the rear lot line and the rear building line.

SETBACK, SIDE. A setback extending the full length of the lot in the area between a side lot line and a side building line.

SETBACK, STREET. A setback extending the full width of a lot between the street lot line and a building line.

SEWER. Unless otherwise expressly stated, **SEWER** means a closed conduit for conducting sanitary sewage.

SHADOW FLICKER. The on-and-off strobe light effect caused by the shadow of moving blades cast by the sun passing above or behind the turbine.

SHADOW FLICKER INTENSITY. The difference or variation in brightness at a given location in the presence and absence of a shadow.

SHOOTING RANGE, OUTDOOR. An area of land reserved or designed for the aiming and discharge of firearms at inanimate targets.

SHOPPING CENTER. A group of commercial establishments planned, developed, and managed as a unit and having in excess of 100,000 square feet of floor area.

SHOPPING CENTER, REGIONAL. A shopping center having in excess of 500,000 square feet of floor area.

SHORELINE. The area of land adjacent to a wetland, lake, pond, or channel.

SIDE LOT LINE. See **LOT LINE, SIDE.**

SIDE SETBACK. See **SETBACK, SIDE.**

SIGN. Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announces the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

SIGN, ANIMATED. Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN, BENCH. Any sign that is part of, or affixed to, a bench, including but not limited to a sidewalk bench, park bench, or a bench at a bus stop or railroad station.

SIGN, BUILDING. Any sign attached to any section of a building, as contrasted to a freestanding sign. **BUILDING SIGNS** include but are not necessarily limited to the following: banners, building markers, canopy signs, identification signs, incidental signs, projecting signs, residential signs (some), roof signs, temporary signs, wall signs, and window signs.

SIGN, CANOPY. Any sign that is a section of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a **CANOPY.**

SIGN, CHANGEABLE COPY. A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. The term **CHANGEABLE COPY SIGN** expressly excludes animated signs, time/temperature signs, and electronic message boards.

SIGN, CONSTRUCTION. A temporary sign indicating that construction is occurring on that zoning lot.

SIGN, DIRECTIONAL. A sign indicating only the name of a business or activity and the distance or directions to the business or activity.

SIGN, ELECTION. A sign concerning a concurrent election.

SIGN, ELECTRONIC MESSAGE BOARD. A sign or component of a sign that uses changing lights to form a message or series of messages that are electronically programmed or modified by electronic processes.

SIGN, ENTRANCE. A freestanding or wall sign located at the entrance of a subdivision, office park, park or forest preserve, providing only the name and/or location of that activity.

SIGN, FLASHING. A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. Electronic message boards and time/temperature signs that are operated in accordance with all applicable regulations shall not be considered **FLASHING SIGNS.**

SIGN, FREESTANDING. A sign not attached to a building or structure other than its own support, supported by one or more columns, uprights or braces in or upon the ground. Includes ground-mounted monument signs, pylon signs, and pole signs.

SIGN, IDENTIFICATION. A sign bearing the address of the premises and/or the name of its occupant but containing no logo and no commercial message.

SIGN, INCIDENTAL. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking”, “entrance”, “loading only”, “telephone”, and similar information and directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered **INCIDENTAL**.

SIGN, INSTITUTIONAL. A sign identifying or advertising an institutional or business use permitted in a residential district, where the sign is located on the same premises as the use.

SIGN, INTEGRAL ROOF. Any sign erected and constructed as an integral or essential integral section of a normal roof structure of any design, so that no section of the sign extends vertically above the highest portion of the roof and so that no section of the sign is separated from the rest of the roof by a space of more than six inches.

SIGN, MERCHANDISE DISPLAY. A sign that is an integral part of a product display rack (also known as **POINT-OF-PURCHASE SIGN**).

SIGN, NON-COMMERCIAL, NOT OTHERWISE CLASSIFIED. A sign containing a non-commercial message, either political or personal; provided that a sign concerning a concurrent election shall be considered a temporary election sign.

SIGN, PORTABLE. Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported, including but not limited to signs designed to be transported by means of wheels; signs made as A-frames or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for commercial messages; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless the vehicle is used in the normal day-to-day operations of the business.

SIGN, PROJECTING. Any sign attached to a building wall and extending laterally more than 18 inches from the face of the wall.

SIGN, RESIDENTIAL. Any sign located in a district zoned for residential uses that contains no commercial message.

SIGN, ROOF. A sign that is placed above or supported on the top of a building.

SIGN, SUSPENDED. A sign that is suspended from the underside of a horizontal plane surface and is supported by that surface.

SIGN, TEMPORARY. Any sign that is used only temporarily and is not permanently mounted.

SIGN, TIME/TEMPERATURE. Any sign indicating the time and/or temperature.

SIGN, VEHICLE. A sign attached to an operable vehicle licensed to operate on the public streets. Any sign attached to an inoperable or unlicensed vehicle or any sign attached to a vehicle that is regularly parked for more than 72 hours in a location conspicuously visible from a public street shall be deemed a portable sign.

SIGN, WALL. Any sign attached parallel to, but within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by the wall or building, and which displays only one sign surface.

SIGN, WINDOW. Any sign that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SIGNIFICANT TREES. Trees (other than those listed as prohibited or noxious species) with a diameter at breast height of 24 inches or greater that are not included in any young woodland or mature woodland area.

SITE. A parcel of land for which a permit is issued pursuant to this chapter.

SITE DEVELOPMENT PERMIT. A permit issued by the Lake County Planning, Building and Development Department for the alteration or construction of ground improvements and structures for the control of erosion, runoff, and grading.

SITE DEVELOPMENT PLAN. A plan prepared by an engineer that shows the method, control, and implementation of erosion control measures, stormwater runoff, and/or grading of lands for the construction of buildings and other necessary improvements.

SMC WETLAND RESTORATION FUND. A fund that is administered and implemented for wetland impact mitigation that is approved and adopted by the Lake County Stormwater Management Commission.

SOIL SURVEY. The latest issue and amendments thereto of a publication entitled Soil Survey of Lake County, Illinois prepared by the U.S. Department of Agriculture, Soil Conservation Service, in cooperation with Illinois Agriculture Experiment Station.

SOLAR ARRAY. A group of solar panels wired together. An **ARRAY** consists of multiple solar modules (solar panels).

SOLAR ENERGY SYSTEM. A device or structural design feature to provide for the collection, storage, and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

SOLAR ENERGY SYSTEM, ACCESSORY LARGE-SCALE. A ground-mounted solar energy system that occupies at least 40,000 square feet of surface area and whose power generation is primarily for consumption on the property. An accessory large-scale solar energy system is considered accessory regardless of its size in relation to the principal use and/or buildings on the property.

SOLAR ENERGY SYSTEM, ACCESSORY MEDIUM-SCALE. A ground-mounted solar energy system that occupies more than 1,750 square feet but less than 40,000 square feet of surface area and whose power generation is primarily for consumption on the property. An accessory medium-scale solar energy system is considered accessory regardless of its size in relation to the principal use and/or buildings on the property.

SOLAR ENERGY SYSTEM, ACCESSORY SMALL-SCALE. A ground-mounted solar energy system that occupies 1,750 square feet of surface area or less and whose power generation is primarily for consumption on the property. An accessory small-scale solar energy system is considered accessory regardless of its size in relation to the principal use and/or buildings on the property.

SOLAR ENERGY SYSTEM, COMMERCIAL. A ground-mounted solar energy system for the primary purpose of wholesale or retail sale and not primarily for consumption on the property.

SOLAR PANEL. A device that is used to convert radiant solar energy into electrical current.

SOUND FREQUENCY. The number of oscillations per second in hertz (Hz). How we perceive sound is partly dependent on what the frequency is. High frequency sound has more oscillations per second, whereas low frequency sound has fewer.

SOUND LEVEL. The A-weighted sound pressure level in decibels (dB) (or the C-weighted level if specified) as measured using a sound level meter that meets the requirements of a Type 2 or better precision instrument according to ANSI S1.4. The average **SOUND LEVEL** is time-averaged over a one to two minute period, using an integrating sound level meter that meets the requirements of ANSI S12.43.

SPECIAL FLOOD HAZARD AREA. Any area subject to inundation by the base flood as shown on the regulatory floodplain maps and profiles listed in Appendix M, as may be amended by the Federal Emergency Management Agency.

SPECIFIED ANATOMICAL AREAS. Any of the following:

(1) Less than completely and opaquely covered human genitals; pubic region; buttocks; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed; or

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

SPECIFIED SEXUAL ACTIVITIES. Any of the following:

(1) Actual touching of human genitals, pubic region, buttocks, anus, or female breasts;

(2) Actual physical sexual acts, normal or perverted, including intercourse, oral copulation, or sodomy;

(3) Actual masturbation;

(4) Human genitals in a state of sexual stimulation, arousal, or tumescence; or

(5) Excretory functions as part of or in connection with any of the activities set forth in subsections (1), (2), (3), or (4) of this definition.

SPORTS ARENA. A commercial structure with tiers of seats rising around a field or court, that is intended to be used primarily for the viewing of athletic events. **SPORTS ARENA** may also be used for entertainment and other public gathering purposes, such as conventions, circuses, or concerts.

STABLE, PRIVATE. 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 a principal dwelling and their guests, but in no event for hire.

STAFF DOCTOR. A doctor employed by a hospital, clinic, or other institution, or a doctor who is "on call" to that institution during certain specified periods of time for emergencies or other need.

STANDARD RESTAURANT. See **RESTAURANT, STANDARD.**

STANDARD SPECIFICATIONS. The Standard Specifications for Road and Bridge Construction, Supplemental Specifications and Recurring Special Provisions or its successor document or documents, as adopted by the Illinois Department of Transportation, in effect at the time a preliminary plat is approved. The Standard Specifications for Water and Sewer Main Construction in Illinois or its successor document or documents, as adopted by the Illinois Environmental Protection Agency in effect at the time a preliminary plat is approved.

STOCKPILE, TEMPORARY SOIL. A mass or mound of soil, typically topsoil, that has been stripped or removed from an area or areas of a site and reserved for future use.

STORAGE, OUTDOOR. Outdoor storage of fuel, raw materials, products, and equipment.

STORM, ONE HUNDRED-YEAR. Rainstorms of varying durations and intensities expected to recur on the average of once every 100 years or statistically having a 1% chance of occurring in any single year. A duration of 24 hours is assumed unless otherwise noted.

STORM RUNOFF, ONE HUNDRED-YEAR. The stormwater runoff from the 100-year storm.

STORM SEWER. A closed conduit for conducting stormwater.

STORMWATER DRAINAGE FACILITY. Any element in a stormwater drainage system which is made or improved by humans.

STORMWATER DRAINAGE SYSTEM. All facilities used for conducting stormwater to, through, or from a drainage area to the point of final outlet.

STORMWATER MANAGEMENT. A set of actions taken to control stormwater runoff with the objectives of providing controlled surface drainage, flood control, and pollutant reduction in runoff.

STORMWATER MANAGEMENT COMMISSION APPROVED WETLAND BANK. A wetland mitigation bank approved by the Lake County Stormwater Management Commission that conforms with Appendix O of the Watershed Development Ordinance.

STORMWATER MANAGEMENT SYSTEM. The collection of natural features and man-made facilities which define the stormwater management for a development.

STORMWATER RUNOFF. The waters derived from rains falling within a tributary drainage basin, flowing over the surface of the ground or collected in channels, watercourses, or conduits.

STORMWATER RUNOFF, EXCESS. The volume and rate of flow of stormwater discharged from a developed drainage area which is or will be in excess of that volume and rate which existed before development.

STORY. The portion of a building or structure included between the surface of any floor and the ceiling next above. A basement shall be counted as a **STORY** if the floor next above it is more than five feet above the average ground elevation.

STREAM. A course of running water flowing in a channel.

STREET. An approved place or way, however designated, for vehicular travel which affords principal means of access to abutting property, or other street.

STREET, ARTERIAL. A street which serves or connects major urban activity centers, is a high volume travel corridor, provides for long trip desires and/or is part of an integrated network providing intercounty and interstate service. (See § 151.169(A).)

STREET, COLLECTOR. A street serving as an intracounty travel corridor channelizing and distributing traffic to and from arterial and local streets. (See § 151.169(A).)

STREET, LOCAL. A street providing access to adjacent land, service to travel short distances, the lowest level of mobility, and access service to other streets. (See § 151.169(A).)

STREET LOT LINE. See **LOT LINE, STREET.**

STREET, MARGINAL ACCESS. A local street that is adjacent to, or is included in, the right-of-way of an expressway, major arterial, collector street, railroad or utility right-of-way and which provides access to abutting properties and protection from through traffic.

STREET, NONRESIDENTIAL. A street internal to a non-residential subdivision.

STREET, PRIVATE. A street which is not dedicated for public use and for which no highway authority has any jurisdiction or maintenance responsibilities.

STREET SETBACK. See **SETBACK, STREET.**

STRUCTURE. Anything man-made, constructed, erected, or placed, which has location in or on the ground or is attached to something having a location on the ground.

STRUCTURE, ACCESSORY. See **ACCESSORY STRUCTURE.**

STRUCTURE, HEIGHT OF. See **HEIGHT.**

SUBDIVISION. Any division or redivision of a parcel of land into two or more parts by means of mapping, platting, conveyance, change or rearrangement of boundaries, except those divisions of land provided for under 765 ILCS 205/1.

SUBDIVISION MARKETING SIGN. A temporary sign used for marketing lots within a subdivision which has been approved pursuant to the provisions of this chapter.

SUBDIVISION, NONRESIDENTIAL. A division of land which is in compliance with the Lake County Subdivision Ordinance (§§ 151.185 through 151.204) and which results in lots all of which are intended for nonresidential uses.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition, or improvement of a structure, which increases the floor area by more than 75% of the structure's first floor area or the cost of which equals or exceeds 50% of the market value of the current structure before the start of construction. This term includes structures which have incurred a repetitive loss or substantial damage, regardless of the actual repair work performed. For the

purposes of this definition, “start of construction” is considered to occur when the first qualifying improvement, as described in FEMA Publication 480 National Flood Insurance Program Flood Management Requirements, commences or when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes all cumulative improvements within the last ten years. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

SUBSTANTIAL OR SIGNIFICANT PORTION OF ITS BUSINESS. For purposes of the definitions of “adult cabaret”, “adult store”, or “adult theater” herein, the phrase ***SUBSTANTIAL OR SIGNIFICANT PORTION OF ITS BUSINESS*** shall be deemed to apply to any commercial establishment that satisfies one or more of the following criteria:

- (1) Gross sales: 30% or more of the retail dollar value of the commercial establishment’s annual gross sales derives from the sale, rental, or viewing of adult materials;
- (2) Floor area: 30% or more of the floor area of the commercial establishment is devoted to the display, viewing, or presentation of adult materials, not including storerooms, stock areas, bathrooms, basements, or any other portion of the commercial establishment not open to the public;
- (3) Merchandise displayed: 30% or more of the retail dollar value of all merchandise displayed at any one time is attributable to adult materials;
- (4) Inventory: 30% or more of all inventory of the commercial establishment (whether measured by retail dollar value or number of items) consists at any one time of adult materials;
- (5) Stock-in-trade: 30% or more of the stock-in-trade at the commercial establishment consists at any one time of adult materials; and/or
- (6) Live performances: live performances by persons appearing semi-nude, or live performances that are otherwise distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities, and that are taking place 30% or more of the time during which the commercial establishment is open for business.

SUN GLINT. The reflection of sunlight off of a surface, as in the case of the blades, tower, or other component of a wind energy facility.

SUPPORTING FACILITIES. The transmission lines, substations, access roads, meteorological towers, storage containers, and equipment associated with the generation and storage of electricity by the WECS.

SURVEYOR. A licensed professional land surveyor licensed to practice in the State of Illinois.

SWALE. A linear depression in the ground surface which conveys drainage water with side slopes at or less steep than a 3H to 1V slope.

TECHNICAL REFERENCE MANUAL (TRM). The Lake County Stormwater Management Commission Technical Reference Manual. This manual contains design guidance for a development site to meet the Watershed Development Ordinance performance standards.

TEMPORARY USE. See **USE, TEMPORARY.**

TERMINAL, TRUCK. A structure or land primarily used for the temporary storage of goods awaiting transfer or wholesale distribution by means of motor carrier transportation.

TOPDRESSING. The placement of not more than four inches of topsoil within the regulatory floodplain for the purposes of preventing soil erosion and establishing vegetative cover. (See also § 151.149.)

TOWER. A tall structure, mounted in the ground, on which a wind turbine, nacelle and blades are mounted. Also referred to as "wind tower" or "WECS tower".

TOWNHOUSE. A dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. A **TOWNHOUSE** does not share common floors/ceilings with other dwelling units. (See also the **TOWNHOUSE** standards of § 151.130.)

TRAFFIC CONTROL MANUAL. The Illinois Manual for Uniform Traffic Control Devices for Streets and Highways (MUTCD), as published by the Illinois Department of Transportation.

Traffic engineer. A State of Illinois registered professional engineer whose primary work experience has been in traffic engineering.

TRAFFIC FACILITY. Any public or private right-of-way used for or intended to be used for travel including but not limited to an expressway, highway, arterial, street, road, thoroughfare, avenue, lane, place, or alley.

TRANSITION SECTION. Reaches of the stream or regulatory floodway where water flows from a narrow cross-section to a wide cross-section or vice-versa.

TRAUMA CENTER. A facility devoted primarily to the diagnosis and treatment of individuals suffering from injury or medical emergency.

TRIBUTARY AREA. See **DRAINAGE AREA.**

TRUCK TERMINAL. See **TERMINAL, TRUCK.**

TURBINE. The parts of a wind energy facility including the blades, nacelle and tail, or any piece of electrical generating equipment that converts the kinetic energy of moving wind into electrical energy through the use of airfoils or similar devices to capture the wind.

TWINHOUSE. A structure that contains two primary dwelling units, each located on its own lot. The two dwelling units share a common wall along the common lot line. (See also the **TWINHOUSE** standards of § 151.130.)

USE. The purpose or activity for which land, or any structure thereon, is designed, arranged, or intended, or for which it is occupied or maintained.

USE, ACCESSORY. A use that customarily:

- (1) Is subordinate to and services a principal building or a principal use legally existing on the same zoning lot;
- (2) Is subordinate in area, extent, and purpose to the principal building or principal use;
- (3) Contributes to the comfort, convenience, or necessity of the occupants, business, or industry of the principal structure or principal use served; and
- (4) Is located on the same zoning lot as the principal structure or principal use served.

USE, NONRESIDENTIAL. Any use not classified as a residential use.

USE, PRINCIPAL. The specific primary purpose for which land is used.

USE, RESIDENTIAL. A use of land which provides space for the permanent occupancy of either individuals or households within dwellings.

USE, TEMPORARY. A use established for a fixed period of time with the intent to discontinue the use upon the expiration of that time.

VALUE ADDED AGRICULTURAL PROCESSING. The small-scale processing and/or packaging of raw agricultural products resulting in an increase in the value of the agricultural product.

VALUE ADDED AGRICULTURAL PRODUCT. An agricultural product that has been modified from its raw physical state or form in order to enhance the value for sale to the consumer.

VILLAGE HOUSE. A dwelling unit that is located on its own lot, not attached to any other dwelling units, surrounded by very shallow front and side yards and located in a conservation residential development that complies with the **VILLAGE HOUSE** standards of § [151.130](#).

WAREHOUSE, MINI. A building or group of buildings that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares. No service or repair activities other than the rental of dead storage units are permitted on the premises.

WATER DEPENDENT. Structures of facilities relating to the use of, or requiring access to, the water or shoreline. Examples of **WATER DEPENDENT** uses include but are not limited to pumping facilities, wastewater treatment facilities, facilities and improvements related to recreation boating or commercial shipping.

WATERCOURSE. Any natural or man-made depression into which water flows either regularly or intermittently.

WATERS OF THE UNITED STATES. For the purpose of this chapter, the term **WATERS OF THE UNITED STATES** refers to those areas that are under the U.S. Army Corps of Engineers jurisdiction.

WATERSHED. The land area above a given point on a channel that contributes stormwater to that point. In this county the four major **WATERSHEDS** are officially defined as: the Lake

Michigan Watershed, the North Branch of the Chicago River Watershed, the Des Plaines River Watershed, and the Fox River Watershed.

WATERSHED BENEFIT. A decrease in flood damages to structures upstream or downstream of the development site created by installation of the stormwater management system. The benefit must be beyond the benefit provided by meeting the minimum Watershed Development Ordinance standards and TRM guidance.

WATERSHED DEVELOPMENT PERMIT. A permit established by the Watershed Development Ordinance and issued, through the Lake County Stormwater Management Commission or certified communities, prior to the approval of a building permit signifying conformance with provisions of the Watershed Development Ordinance.

WEEKEND. Saturday and Sunday. National holidays observed on a Friday or Monday may be included.

WET DETENTION FACILITY. A **WET DETENTION FACILITY** designed to maintain a permanent pool of water after the temporary storage of stormwater runoff.

WETLAND. A specific type of natural or man-made drainageway as follows: land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, under normal conditions, a prevalence of vegetation adapted for life in saturated soil conditions (known as hydrophytic vegetation). A **WETLAND** is identified based upon the three attributes: hydrology, soils, and vegetation as mandated by the current federal wetland determination methodology.

WETLAND, EXCEPTIONAL FUNCTIONAL VALUE (ADID). Any wetland identified as such in the U.S. Environmental Protection Agency Advanced Identification Study of the county (ADID) or any wetland that through a functional assessment meets the criteria defined in that study for determining exceptional functional value.

WETLAND IMPACT. Isolated waters of Lake County or Waters of the United States that are hydrologically disturbed or otherwise adversely affected by flooding, filling, excavation, or drainage which results from implementation of a development activity.

WETLAND, MAPPED. Any area suspected of being a wetland because it is mapped as such on the Lake County Wetland Inventory or Advanced Identification (ADID) maps.

WHOLESALE. The sale of goods to retailers or jobbers rather than consumers.

WILDLIFE. Any animal that is normally born in the wild and able to live on its own without human assistance, excluding livestock or animals considered to be domesticated.

WILDLIFE EDUCATION. The process of influencing people's attitudes, emotions, knowledge, and behaviors about wildlife and wild places with the purpose of introducing people to wildlife, promoting awareness of biodiversity, and developing conservation-minded and sustainable behavior. This is done through the efforts of trained/skilled educators and interpreters, who use a variety of techniques, methods and assessments to impart information. **WILDLIFE EDUCATION** is distinct from entertainment-oriented exhibitions in that its primary purpose is not to entertain but rather to provide a deeper understanding of and connection to wildlife. **WILDLIFE EDUCATION** does not include the use of wildlife in performances that: (a) are foreign to their natural behavior (or otherwise not designed to simulate their natural

interactions within their environment); (b) introduce painful physical restraint or deprivation inconsistent with practices employed by wildlife biologists, veterinarians or other licensed or trained wildlife caretakers; (c) force interactions with other wildlife contrary to normal conditions in the wild; or (d) otherwise unnecessarily induce significant stress, injury or illness to wildlife as a reasonably foreseeable consequence of the performance. **WILDLIFE EDUCATION** includes, but is not limited to, events to provide the public with opportunities to experience wildlife directly and vicariously through outreach programs, on-site tours, demonstrations, and community events. Wildlife educational programming is typically, but not exclusively, provided by local government agencies, non-profit organizations that provide rehabilitation and release or sanctuary of animals, or trained professionals who are actively engaged in conservation and educational programs and possess the proper permits from the Illinois Department of Natural Resources, U.S. Fish and Wildlife Service, or the U.S. Department of Agriculture.

WIND ENERGY FACILITY, ACCESSORY. A wind energy conversion facility less than 500 kilowatts in total nameplate generating capacity. Can be either building mounted or tower mounted.

WIND ENERGY FACILITY, COMMERCIAL. A wind energy conversion facility of equal or greater than 500 kilowatts in total nameplate generating capacity. Also referred to as "wind energy conversion system" or "WECS" or "WECS project".

WOODLAND, MATURE. An area or stand of trees whose total combined canopy covers an area of 20,000 square feet or more, at least 50% of which is composed of trees having a diameter breast height of 16 inches or more. An active commercial nursery or Christmas tree operation shall not be considered a **MATURE WOODLAND**. In addition, no woodlands dominated (more than 50% of the canopy cover) by non-native tree species such as *Acer negundo* (box elder), *Robinia pseudoacacia* (black locust), *Rhamnus cathartica* (common buckthorn), *Eleagnus angustifolia* (Russian olive), *Eleagnus umbellata* (autumn olive), *Populus alba* (white poplar) and *Ulmus pumila* (siberian elm) shall be considered a **MATURE WOODLAND**.

WOODLANDS, YOUNG. An area or stand of trees whose total combined canopy covers an area of 20,000 square feet or more, at least 50% of which is composed of trees having a diameter breast height of at least three inches and less than 16 inches. An active commercial nursery or Christmas tree operation shall not be considered a **YOUNG WOODLAND**. In addition, no woodlands dominated (more than 50% of the canopy cover) by non-native tree species such as *Acer negundo* (box elder), *Robinia pseudoacacia* (black locust), *Rhamnus cathartica* (common buckthorn), *Eleagnus angustifolia* (Russian olive), *Eleagnus umbellata* (autumn olive), *Populus alba* (white poplar) and *Ulmus pumila* (siberian elm) shall be considered a **YOUNG WOODLAND**.

YARD. The space between a lot line and building line.

YOUNG WOODLAND. See **WOODLANDS, YOUNG**.

ZONING LOT. See **LOT, ZONING**.

(Ord., § 14.2, passed 10-13-2009; Ord. passed 8-14-2012; Ord. passed 10-9-2012; Ord. passed - -; Ord. passed - -; Ord. 15-0701, passed 7-14-2015; Ord. 15-1028, passed 10-13-2015; Ord. 19-1378, passed 9-10-2019; Ord. 21-0744, passed 5-11-2021; Ord. 22-1060, passed 8-9-2022:

Ord. 22-1356, passed 10-11-2022; Ord. 23-0675, passed 5-9-2023; Ord. 23-1056, passed 8-8-2023; Ord. 24-0207, passed 3-12-2024)

APPENDIX A: PLANT MATERIALS LIST

| Appendix A | | | | | |
|----------------------------------|---------------------------------|----------------------|-----------------------|-----------------------|-----------------------|
| Botanical Name | Common Name | Woodland Replacement | Street Tree | Parking Lot | Transition Area |
| CANOPY TREES | | | | | |
| <u>Canopy Natives</u> | | | | | |
| Acer saccharum | Sugar Maple | Y | N | N | Y |
| Aesculus glabra | Ohio Buckeye | Y | N | N | Y |
| Carya species | Hickory | Y | N | N | Y |
| <u>Carya cordiformis</u> | <u>Bitternut hickory</u> | <u>Y</u> | <u>Y</u> | <u>N</u> | <u>Y</u> |
| <u>Carya glabra</u> | <u>Pignut hickory</u> | <u>Y</u> | <u>Y</u> | <u>N</u> | <u>Y</u> |
| <u>Carya ovata</u> | <u>Shagbark hickory</u> | <u>Y</u> | <u>Y</u> | <u>N</u> | <u>Y</u> |
| <u>Carya tomentosa</u> | <u>Mockernut hickory</u> | <u>Y</u> | <u>Y</u> | <u>N</u> | <u>Y</u> |
| Celtis occidentalis | Hackberry | Y | Y | Y | Y |
| Fagus grandifolia | American Beech | Y | N | N | Y |
| Gymocladus dioicus | Kentucky Coffeetree | Y | N Y | N | Y |
| Juglans cinerea | Butternut | Y | N | N | Y |
| <u>Juglans nigra</u> | <u>Black walnut</u> | <u>Y</u> | <u>N</u> | <u>N</u> | <u>Y</u> |
| <u>Larix laricina</u> | <u>Tamarack</u> | <u>Y</u> | <u>N</u> | <u>N</u> | <u>Y</u> |
| Nyssa sylvatica | <u>Black Tupelo or sour gum</u> | Y | N <u>Y</u> | N | Y |
| Platanus occidentalis | American Sycamore | Y | Y | Y | Y |
| Pyrus calleryana | Flowering Pear | N | Y | N | Y |
| <u>Populus deltoides</u> | <u>Eastern cottonwood</u> | <u>Y</u> | <u>N</u> | <u>N</u> | <u>Y</u> |
| Quercus alba | White Oak | Y | Y <u>N</u> | Y <u>N</u> | Y <u>N</u> |
| Quercus bicolor | Swamp White Oak | Y | Y | Y | Y |
| Quercus coccinea | Scarlet Oak | Y | N | N | Y |
| Quercus ellipsoidalis | Hill's Oak | Y | N | N | Y |
| Quercus imbricaria | Shingle Oak | Y | Y | Y | Y |

| | | | | | |
|-----------------------------------------|---------------------------------------------|-------------------|--------------------------------|--------------------------------|-------------------|
| Quercus macrocarpa | Bur Oak | Y | Y | Y | Y |
| Quercus muehlenbergii | Chink qu apin Oak | Y | Y | Y | Y |
| Quercus palustris | Pin Oak | Y | N | N | Y |
| Quercus rubra | Northern Red Oak | Y | Y N | Y N | Y |
| Quercus velutina | Black Oak | Y | Y | Y | Y |
| Tilia americana | American Basswood or linden | Y | Y | Y | Y |
| Canopy Non-Natives | | | | | |
| Acer nigrum | Black Maple | Y | N | Y | Y |
| Acer pseudoplatanus | Sycamore Maple | Y | N | N | Y |
| Acer miyabei | Miyabe Maple | Y | Y | N | Y |
| Acer rubrum | Red Maple Varieties | Y | Y | Y | Y |
| Aesculus hippocastanum | Horsechestnut | Y | N | N | Y |
| Cladrastis lutea | Yellowwood | Y | N | N | Y |
| Fagus sylvatica | European Beech | Y | N | N | Y |
| Ginkgo biloba (male) | Ginkgo | N | Y | N | Y |
| Liquidambar styraciflua | Sweetgum | Y | N | N | Y |
| Liriodendron tulipifera | Tuliptree | Y | N | Y | Y |
| Metasequoia glyptostroboides | Dawn Redwood | Y | N | N | Y |
| Platanus acerifolia | Planetree | Y | Y | Y | Y |
| Quercus prinus | Chestnut Oak | Y | Y | Y | Y |
| Quercus robur | English Oak | Y | Y | Y | Y |
| Taxodium distichum | Bald Cypress | Y | N | N | Y |
| Tilia cordata | Little Leaf Linden | Y | Y | Y | Y |
| SHRUBS | | | | | |
| Shrub Natives | | | | | |
| Amorpha canescens | Lead plant | Y | | N | N |
| Amorpha fruticosa | False Indigo Bush | Y | | Y | N |
| Aronia melanocarpa | Black Chokeberry | Y | | Y N | Y |
| Cephalanthus americanus | New Jersey tea | Y | | N | Y |
| Cephalanthus occidentalis | Buttonbush | Y | | Y N | Y |
| Cornus species | Dogwood | Y | | N | Y |
| Cornus obliqua | Blue-fruited dogwood | Y | | N | Y |
| Cornus stolonifera | Red osier dogwood | Y | | N | Y |

| | | | | | |
|-----------------------------------------------------|--------------------------------------------|--------------|--|----------------|--------------|
| Corylus americana | American Filbert <u>or hazelnut</u> | Y | | Y N | Y |
| Diervilla lonicera | Dwarf honeysuckle | <u>Y</u> | | <u>Y</u> | <u>N</u> |
| Euonymus species <u>atropurpureus</u> | Euonymous <u>Wahoo</u> | Y | | Y | Y |
| Hamamelis vernalis <u>virginiana</u> | Vernal <u>Common</u> Witchhazel | Y | | Y | Y |
| Hydrangea quercifolia <u>arborescens</u> | Oakleaf <u>Wild</u> Hydrangea | Y | | Y N | Y |
| Hypericum kalmianum | Kalm's St. John's wort | <u>Y</u> | | <u>Y</u> | <u>Y</u> |
| Hypericum prolificum | Shrubby St. John's wort | <u>Y</u> | | <u>Y</u> | <u>Y</u> |
| Ilex verticillata | Winterberry | Y | | Y N | Y |
| Lindera benzoin | Spicebush | Y | | Y N | Y |
| Physocarpus opulifolius | Common Ninebark | Y | | Y | Y |
| Potentilla fruticosa | Bush/shrubby Cinquefoil | Y | | Y | Y |
| Prunus americana | American plum | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Ptelea trifoliata | Wafer Ash | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Rhus species | Sumac | Y | | Y | Y |
| Rhus aromatica | fragrant sumac | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Rhus copallina | shining sumac | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Rhus glabra | smooth sumac | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Ribes | Current | Y | | Y | Y |
| Ribes americanum | wild black currant | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Ribes cynosbati | prickly wild gooseberry | <u>Y</u> | | <u>Y</u> | <u>Y</u> |
| Ribes missouriense | wild gooseberry | <u>Y</u> | | <u>Y</u> | <u>Y</u> |
| Rosa species | Rose varieties | Y | | Y | Y |
| Rosa blanda | Early wild rose | <u>Y</u> | | <u>Y</u> | <u>Y</u> |
| Rosa carolina | Pasture rose | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Rosa palustris | Scarlet rose | <u>Y</u> | | <u>N</u> | <u>N</u> |
| Rosa setigera | Illinois rose | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Rubus odoratus | Purple flowering raspberry | <u>Y</u> | | <u>N</u> | <u>N</u> |
| Salix discolor | Pussy Willow | Y | | N | Y |
| Salix humilis | Prairie willow | <u>Y</u> | | <u>N</u> | <u>Y</u> |
| Sambucus canadensis | Elderberry | Y | | N | Y |
| Spiraea species <u>alba</u> | Spiraea <u>Meadowsweet</u> | N | | N | Y |
| Spiraea tomentosa | Steeplebush | <u>N</u> | | <u>N</u> | <u>Y</u> |
| Symphoricarpos albus | Snowberry | Y | | Y N | Y |

| | | | | | |
|----------------------------------------------|----------------------------------------|-------------------|-------------------|-------------------|-------------------|
| Vaccinium angustifolium | Early low blueberry | Y | | N | Y |
| Viburnum species | Viburnum | Y | | Y | Y |
| Viburnum acerifolium | maple leaf viburnum | Y | | N | Y |
| Viburnum lentago | nannyberry | Y | | N | Y |
| Viburnum rafinesquianum | downy arrowwood | Y | | N | Y |
| Viburnum trilobum | American cranberry | Y | | N | Y |
| Zanthoxylum americanum | Prickly ash | Y | | N | N |
| Shrub Non-Natives | | | | | |
| Betula pumila | Dwarf Birch | Y | | N | Y |
| Chaenolmeles speciosa | Flowering Quince | N | | N | Y |
| Clethra alnifolia | Summersweet | Y | | Y | Y |
| Corylus cornuta | Beaked Hazelnut | Y | | Y | Y |
| Cotoneaster species | Cotoneaster | Y | | Y | Y |
| Deutzia | Deutzia | Y | | Y | Y |
| Forsythia | Forsythia | N | | Y | Y |
| Ilex opaca | American Holly | Y | | Y | Y |
| Itea virginica | Sweetspire | Y | | Y | Y |
| Juniperus species | Juniper | Y | | Y | Y |
| Myrica pennsylvanica | Northern Bayberry | Y | | N | Y |
| Syringa species | Lilac | N | | N | Y |
| Thuja species | Arborvitae | N | | N | Y |
| Taxus species | Yew | N | | N | Y |
| EVERGREEN TREES | | | | | |
| Evergreen Non-Natives | | | | | |
| Picea abies | Norway Spruce | Y | N | Y | Y |
| Picea omorika | Serbian Spruce | Y | N | Y | Y |
| Picea pungens | Colorado Spruce | Y | N | Y | Y |
| Thuja shandishii x plicata | Green Giant Arborvitae | Y | N | N | Y |
| Abies concolor | Concolor Fir | Y | N | N | Y |
| Juniperus virginiana | Red Cedar | Y | N | N | Y |
| Picea glauca | White Spruce | Y | N | Y | Y |
| Pinus nigra | Austrian Pine | Y | N | Y | Y |
| Pinus resinosa | Red Pine | Y | N | Y | Y |
| Pinus strobus | White Pine | Y | N | Y | Y |
| Pinus sylvestris | Scotch Pine | Y | N | Y | Y |
| Pseudotsuga menziesii | Douglas Fir | Y | N | N | Y |
| Tsuga canadensis | Canadian Hemlock | Y | N | N | Y |
| UNDERSTORY TREES | | | | | |
| Understory Natives | | | | | |

| | | | | | |
|-----------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------|--------------------------------|-------------------|-------------------|
| Amelanchier species arborea | Serviceberry | Y | N | Y N | Y |
| Amelanchier interior | Inland shadblow | Y | N | N | Y |
| Amelanchier laevis | Alleghany serviceberry | Y | Y | N | Y |
| Asimina triloba | Pawpaw | Y | N | N | N |
| Betula alleghaniensis | Yellow Birch | Y | N | Y N | Y N |
| Betula nigra | River Birch | Y | N | Y N | Y N |
| Carpinus caroliniana | American Hornbeam Blue beech or musclewood | Y | N | Y N | Y |
| Cercis canadensis | Eastern Redbud | Y | N | Y N | Y |
| Cornus alternifolia | Pagoda dogwood | Y | N | N | Y |
| Crataegus species | Hawthorn | Y | N | Y | Y |
| Crataegus coccinea | Scarlet hawthorn | Y | N | Y | Y |
| Crataegus crus-galli | Cockspur hawthorn | Y | N | Y | Y |
| Crataegus mollis | Downy hawthorn | Y | N | Y | Y |
| Euonymus atropurpureus | Wahoo | Y | N | N | Y |
| Hamamelis virginiana | Common Witchhazel | Y | N | Y N | Y |
| Malus ioensis | Prairie Crabapple | N | N | Y N | Y |
| Ostrya virginiana | Hophornbeam or ironwood | Y | N Y | Y | Y |
| Ptelea trifoliata | Wafer Ash | Y | N | N | Y |
| Sassafras albidum | Sassafras | Y | N | N | Y |
| <u>Understory Non-Natives</u> | | | | | |
| Acer ginnala | Amur Maple | Y | N | Y | Y |
| Alnus | Alder | Y | N | N | Y |
| Larix decidua | Larch | Y | N | Y N | Y |
| Magnolia species | Magnolia | Y | N | Y | Y |

Landscape Design and Construction Using Best Management Practices

Goal: To build or improve landscaped environments that provide aesthetic and functional properties and optimal growing conditions while conserving water and protecting water quality.

A. Planning Guidelines:

In the planning stages of a project is when the designer is most able to apply Best Management Practices (BMP). These are factors that will either contribute to or prevent the successful outcome of reaching the goals of BMP. Consider the following as elements that will affect the success of the strategy:

1. Consider existing and proposed grades to provide optimal drainage and infiltration opportunities.
2. Exposure to wind and sun can affect water needs, plant health, and conservation.
3. Roads and parking areas can be utilized to provide moderate levels of infiltration.
4. Salt, chemical spray, and snow storage in certain locations will affect plant health, soils, water quality, and runoff.
5. Soils should be understood to be used effectively in water conservation, erosion potential, and plant health.
6. Precipitation amounts and intensity at different sites and regions will affect design choices and maintenance guidelines.
7. Maintenance schedules should be well defined and followed throughout the year.

Incorporating elements of 'Xeriscape' will aid in the conservation and protection of water resources, these include:

1. Use the planning stage to combine design with resource management.
2. Amend poor soils for improved erosion control and growing conditions.
3. Choose plants that require minimal water and hardy growing conditions
4. Minimize turf areas to decrease mowing and fertilizing/herbicide requirements.
5. Apply efficient irrigation practices and monitor during the growing season.
6. Apply and maintain proper mulch.
7. Use porous paving materials for walkways, roads, and parking areas.
8. Follow a site specific maintenance plan.

B. Installation:

The following principles are suggested to improve the sustainability of plants in the landscape through design, construction, and into the maintenance cycle:

Test soils prior to planting to identify appropriate amendments needed to improve the soil. Soil tests determine costs associated with amendments and determine pH, phosphorus, and nitrogen level.

Improve Soil And Drainage. Due to heavy equipment the soil compaction frequently reaches 80% to 90%. Break compaction by tilling the soil or replace it around plants. When the soil has been prepared for planting it is important to keep construction equipment off of the prepared surface. Plants can often adapt to dry conditions but plantings on poorly drained sites will be difficult to maintain and have a shortened life span.

Typical to Lake County, heavy clay soils have poor aeration that, with compaction, limits root growth. Typical soil preparation consists of introducing 3 to 5 cubic yards of organic matter into the soil to a depth of 4 to 6 inches for every 1,000 square feet of area to be seeded, sodded, or

planted. If native plants are used, then soil amendment may not be necessary, provided that native topsoil has been retained at the site and minimal compaction has occurred.

Increase Planting Space. To improve the health of plants, increase areas of open soil. This will reduce extreme moisture conditions that stress plants under stress and reduce their life span.

Properly Size Pits and Provide Optimal Plant Depth. Proper planting with the root collar at least 2 inches above grade helps with establishment and long-term health. Additionally, planting pits should be at a minimum 2 times the width of the root ball.

Select the Proper Plants. Plants are selected for a function or to visually enhance a site. Local climate, maintenance, availability, soil properties, available water, all should be considered in plant selection in addition to the plant characteristics.

Inspect the Installation. Many contractor mistakes can be covered with soil and mulch hiding drainage systems, soil amendments, soil compaction, size of planting pit, and root balls. These all should be inspected while they are exposed.

Follow Maintenance Plan. All landscapes are dependent on a certain amount of maintenance. Following a maintenance plan over both the short- and long-term is crucial for plant health. Planting notes and details must be reviewed and placed on the landscape plan.

C. Maintenance: Tree and Plant Care

1. New plantings typically require additional watering for one to two growing seasons to become established.

2. Winter watering is necessary for newly planted trees, particularly evergreens during periods when snow or rainfall has not occurred over an extended period of time.

3. Many plant root systems, trunks or branches, and drought-stressed plants are harmed by heavy application of lawn-based herbicides.

4. Shrubs and trees should be evaluated yearly and fertilized to promote healthy roots, branching, and leaf growth.

Perennial Care

The following procedures should be observed in order to provide optimal sustainable growing conditions for perennial planting areas:

1. Prepare soil before planting by loosening it to 12 inches. If a heavy clay or sandy soil is present, add 2 to 3 inches of compost on the soil surface and then till in to a 12-inch depth.

2. Apply 1 to 2 inches of organic mulch between plants to reduce evaporation and control weeds and soil temperature.

3. Fertilizing perennials is generally not needed if proper soil preparation is done prior to planting. Fertilizer increases growth requiring additional water.

4. Choose plants to match the site conditions and consider plants with lower water needs.

5. Irrigation practices affect root depth. By watering less frequently and more thoroughly, deeper roots are produced, decreasing irrigation requirements.

Turf Management

Properly maintained turf while visually appealing can also reduce stormwater runoff rates, sediment and pollutant loads, and reduce heat island effects. The following BMPs can be used for areas that require turfgrass:

1. Avoid placing turf in long narrow areas, steep slopes, or in islands due to maintenance and irrigation challenges. Consider turf alternatives in these areas such as native or low-water-use plantings.

2. Low grow or no mow turf should be considered where feasible to reduce the maintenance needs during the growing season.

3. Mulch-mowing helps turfgrass develop deeper root systems. Mulched grass clippings can return 30% of the needed nitrogen that turf requires to be healthy.

4. If thatch is present at a depth greater than 1/2 inch, aerate the lawn with a core-aerator to allow water infiltration.

5. Turf grown on properly prepared soil requires only half of the recommended rate for irrigation.

6. Keep leaves, grass clippings and other turf wastes cleared from sidewalks and streets to avoid washing into storm drains, streams, and lakes.

7. Maintain a buffer zone along waterways where chemicals are not applied to minimize infiltration of pesticides, herbicides, and fertilizers into water bodies.

8. Follow a maintenance schedule to prevent stress, disease, and turf injury.

Mulching

Mulch trees, shrubs, and planting beds with partially composted organic material in a layer of 3 to 4 inches depth in order to:

1. Reduce water loss through evaporation;
2. Reduce soil erosion and sediment transport;
3. Suppress weeds; and
4. Provide uniform soil temperature.

In areas prone to significant runoff, inorganic mulch such as stone should be considered.

(Ord., Appendix A, passed 10-13-2009; Ord. 19-1378, passed 9-10-2019)