

22.02 DEFINITIONS

In addition to those terms defined in Appendix A in the Prairie Grove Municipal Code, the following words, terms and phrases used in this Chapter are defined as follows:

A.D.T. The average daily traffic, which is based on current traffic counts, projected for future development.

Alley: A dedicated public right-of-way affording a secondary means of access to abutting property and not intended for general traffic circulation. Frontage on an alley shall not be construed as satisfying the requirements related to frontage on a dedicated street.

ARC: The Village Architectural Review Commission.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines or shorelines of waterways, or boundary lines of the Village and/or surrounding municipalities.

Building: Any structure with a permanent roof separated on all sides from adjacent open space by exterior or party walls, erected partially or wholly above ground, built for the shelter or enclosure of persons, animals, chattels or movable property of any kind. The term includes, but is not limited to, gas or liquid storage tanks and prefabricated buildings and mobile homes permanently fixed on a site and connected to water and sanitary sewer, or a septic system and/or a private well. Prefabricated buildings and mobile homes must also meet the requirements of the Zoning Code and Building Code of this Code. The term “building” includes both the above ground and the below ground portions of the structure.

Building line: A line defining the buildable area of a lot, set back from its front lot line, or lines in the case of a corner lot. No building or structure shall be constructed between such building line and the front lot line(s) of such lot or in a required yard. (See the Zoning Code for permitted obstructions in front, side and rear yards).

Development: Any manmade change to improved or unimproved real estate, including, but not limited to, earth moving, excavating, filling, grading, and paving; mining, drilling or dredging operations; the construction of or substantial improvements made to, any building or other structure; and the placement of trailers or mobile homes on a site. In addition “development” shall include any activity, excavation or fill alteration, subdivision, change in land use, or practice including without limitation redevelopment, undertaken by public or private entities that affects the discharge of storm water.

Driveway: A pathway for motor vehicles from a street to a structure or use used for service purposes or for access to the structure or use only.

Easement: An authorization or grant by a property owner for the use of private property, or a strip or portion thereof, by the Village, other governmental entity, or any person or entity for a specific purpose or purposes; or the right to use such private property, or a strip or parcel thereof, for a public or private purpose or purposes, acquired through established usage by operation of law. (See the Building Code and Zoning Code for permitted structures in easements.)

Final plat: A map showing all of the requisite details set forth herein for a final plat of subdivision and, in the case of planned developments, all of the additional details set forth herein and in Zoning Code, in substantial conformity to the preliminary plat of a subdivision and which meets the statutory requirements for recording by the County Recorder of Deeds.

Frontage: All the property fronting on one side of a street between the two nearest intersecting streets, measured along the line of the street, or if on a dead end street, then all of the property abutting on one side between an intersecting street and the dead end of such street.

Frontage road: A road running parallel to the arterial road which functions as the egress/ingress point for land uses, thus limiting the points of access on the arterial road.

Grade: The average level of the finished surface of the ground adjacent to the exterior walls of a building or structure.

Grading: Reshaping natural land contours, using natural land materials such as soil, gravel, sand, black dirt, etc., for purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property, or to accommodate a building plan by making changes in land elevation.

Illinois Bearing Ratio (IBR): The relationship between load carrying capacity of the soil and that of a standard crushed stone base material.

Improvement: Any structure, grading, installation of water mains, sanitary sewers, lift station, drainage ditches, swales, culverts, storm sewers, and appurtenant structures, detention and retention ponds, street base, curbs and gutters, street surfacing, bridges, sidewalks, bike paths, crosswalks, trees, street lights and other additions or deletions from the natural state of any land which increase its utility or habitability.

Land division (deed division): The division of a parcel of land into two or more parts, lots, tracts or parcels, by the recording of a deed or subdivision plat, in accordance with the Plat Act (765 ILCS205/0.01 *et. seq.*)

Lot: A parcel of land occupied or intended to be occupied by one principal building and accessory buildings, including a designated portion of a subdivision or other parcel of land intended for transfer of ownership.

Lot of record: A lot, which is part of a subdivision, the plat of which has been recorded in the Office of the County Recorder.

Lot, corner: A lot situated at the intersection of 2 streets whose interior angle of intersection does not exceed 135 degrees.

Lot, reversed corner: A corner lot whose street side lot line is a continuation of the front lot line of the first lot to its rear.

Lot, through: A lot having a pair of opposite lot lines along two public streets, more or less parallel, but which is not a corner lot. On a through lot both street lines shall be deemed front lot lines.

Lot, interior: A lot other than a corner or reversed corner lot.

Lot area, gross: The area of a horizontal plane bounded by the lot's front, side and rear lot lines.

Lot depth: The mean horizontal distance between the front lot line and the rear lot line measured within the lot boundaries.

Lot width: The horizontal distance between the side lot lines measured within the lot boundary at the building line.

Lot frontage: The boundary of a lot that lies along a public or private street.

Lot line: A property boundary line of any lot. When a lot extends to an abutting street or alley, the lot line shall be the nearest right-of-way line of such street or alley.

Lot line, front: That part of a lot's boundary line which lies along a dedicated public street, or, where no public street exists, the line closest to and parallel with a dedicated public street or public way. On a corner lot, the lot line having the shortest length abutting a street right-of-way line shall be the front lot line.

Lot line, rear: That part of a lot's boundary, which is most distant from, and is, or is most nearly, parallel to the front lot line.

Lot line, side: Any boundary of a lot, which is not a front lot line or a rear lot line.

Map: A drawing illustrating the configuration of a subdivision of land.

Offsite bike path and/or sidewalk: Any bike path and/or sidewalk located outside the limits of a subdivision/planned development, which must be constructed to provide the necessary continuity between the existing bike path and/or sidewalk and the subdivision/planned development.

Offsite bridge: Any bridge located outside the limits of a subdivision/planned development, which must be constructed to provide the necessary access to the subdivision/planned development.

Offsite force main: Any force main located outside the limits of a subdivision/planned development, which must be constructed to provide the necessary sanitary sewer, service to the subdivision/planned development.

Offsite lift station: Any sanitary sewer lift station located outside the limits of a subdivision/planned development, which must be constructed to provide the necessary sanitary sewer, service to the subdivision/planned development.

Offsite sanitary sewer: Any sanitary sewer located outside the limits of a subdivision/planned development, which must be constructed to provide the necessary sanitary sewer, service to the subdivision/planned development.

Offsite storm sewer: Any storm sewer located outside the limits of a subdivision/planned devel-

opment, which must be constructed to provide the necessary storm sewer, service to the subdivision/planned development.

Offsite stormwater storage: Any storm water storage system, detention and/or retention facilities located outside the limits of a subdivision/planned development, which must be constructed to provide the necessary stormwater management to the subdivision/planned development.

Offsite street: Perimeter street or roadway abutting a subdivision/planned development, which has no direct private access (driveways) from the subdivision/planned development. Improvements may consist of, but not limited to the following activities: reconstruction, widening, turn lanes, overlay curb and gutter, drainage improvements related to the street improvement, street lighting, and pavement marking.

Offsite traffic signals: Any temporary or permanent traffic signal located outside the limits of a subdivision/planned development that must be constructed to accommodate the anticipated traffic generated by the construction of the subdivision/planned development.

Offsite water main: Any water main located outside the limits of a subdivision/planned development that must be constructed to provide the necessary water main service to the subdivision/planned development.

Open space: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for passive or active recreational use, including detention areas, retention areas and wetlands.

Open space in condominium and other planned developments:

Common open space (common elements): All portions of a planned development except the units and except limited common elements.

Limited private open space (limited common elements): A portion of a subdivision/planned development reserved for open space in the condominium declaration or homeowners' association covenants for the use of a particular unit or units to the exclusion of other units, including but not limited to balconies, terraces, patios and parking spaces or facilities.

Owner: The person who holds title in fee simple, the titleholder of record, the trustee of any trust, which holds title to land, and the beneficiaries of such trust, or any of them.

Parcel: Contiguous land under single ownership or control.

Parkway: A strip of land between the street and the front boundary line of a lot, including side boundary line of a corner lot and the rear boundary line of a through lot, parcel or tract of land.

PIN: Property identification number assigned by McHenry County.

Planned development: A planned development is a tract of land containing two or more principal buildings or which is more than two acres in size, which is developed as a unit under single ownership or control and which may not completely conform to all of the regulations of the zon-

ing district in which it is located. Any condominium project of any size, any townhouse project of any size, or any multi-family of any size, whether in one building or more than one building, shall be considered a planned development. Also, a parcel of land planned for development as a single lot or tract rather than as a group of individual lots, with greater flexibility than is possible under traditional zoning regulations.

Planned development plan or plat: A drawing or map made to a measurable scale upon which is presented a description and definition of the way in which the design requirements of the Planned Development are to be met and intended for recording with the County Recorder.

Plat Act: Chapter 765 of the Illinois Compiled Statutes Section 205/0.01 *et seq.*, as amended from time to time.

Plat of subdivision: A drawing showing the division of land into lots in conformance with the requirements of this Chapter and all other applicable requirements of law.

Preliminary plat: A map showing all requisite details set forth herein for a preliminary plat of subdivision, and, in the case of planned developments, all of the additional details set forth herein and the Zoning Code, to be submitted to the Board of Trustees for purposes of preliminary consideration and approval.

Private open space: An open space within a subdivision/planned development that is reserved for open space purposes by the owner under private ownership and management. Private open space may have some limitations on access and use.

Private water supply: Any facility not controlled by the Village, or other governmental entity, which furnishes water for general domestic purposes.

Public improvements: Street improvements, including pavements, curb, gutters, bridges, sidewalks, bike paths, street lights, street informational signs, traffic signals and parkway landscaping items including trees and grass; water mains, including fire hydrants valve vaults, water service lines, and appurtenant structures; sanitary sewer lines, including manholes, sewer service lines, lift station, valve vaults metering vaults air release vaults, force main, and appurtenant structures; storm sewers, including storm sewer lines, inlets, catch basins, manholes, head walls, end sections, and appurtenant structures; and control facilities including retention and/or detention areas, shore protection and appurtenant structures. Public improvements shall also include sewer and water utilities operated by private companies serving members of the public.

Public open space: An open space, regardless of how it is owned or controlled, which is permanently reserved for open space purposes for use by the public, or which is owned, operated and maintained by a local governmental entity with no limitations on access or use.

Public right-of-way: A strip of land dedicated to the Village or other governmental entity and occupied or intended to be occupied by a street and other public improvements and by electric, gas, telephone, cable television and other transmission lines and appurtenant facilities, or for any special public use, including every right-of-way shown on a final plat of subdivision or planned development plan or plat to be separate and distinct from the lots or parcels shown on such final plat. Rights-of-way intended for public use and involving maintenance by a governmental entity shall be designated as "Dedicated for Public Use" on the final plat of subdivision or final planned

development plan or plat. The width of a public right-of-way shall be measured as the shortest distance between the lot lines delineating the public right-of-way.

Public utility: An entity duly authorized to furnish and furnishing to the public under government regulations: gas, steam, electricity, telephone, telegraph, cable television, or other communication, as defined in the Illinois Compiled Statutes, as amended.

Public walkway dedication: A right-of-way dedicated for the purpose of providing pedestrian access, so located so as to connect two or more streets, or a street and public land parcel.

Public way: Any sidewalk, street, alley, highway, bike path or other public thoroughfare.

Recording: The filing of a document in the office of the County Recorder of Deeds.

Section: Whenever “Section” appears within a particular section number of this Subdivision Code, it means that particular section. For example, if “Section” appears within Section 22.01 of this Code, Section means Section 22.01. Whenever a number is included with the word “Section,” it shall mean that section number of the Subdivision Code.

Setback: The minimum horizontal distance between any line of a building or structure and any lot line.

Sewage system:

Public sewage system: A sanitary sewer system operated by the Village, or other governmental entity, subject to regulation by the IEPA.

Private sewage system: A privately owned sewage system which discharges the sewage from a building, subdivision, or planned development to a public sewage system, a watercourse, or on site, and which meets the minimum requirements of the public health department of the county in which such system is located.

Structure: Anything that is erected or constructed. The term “structure” includes, without limitation, buildings, tanks, drains, sewers, constructed channels, outfalls, parking lots, driveways, roads, sidewalks and concrete patios.

Street (road): A public way which affords the primary means of vehicular access to abutting property, whether designated as a street, avenue, highway, road, boulevard, lane, throughway or other designation, but excepting driveways to buildings. The width of a street shall be measured from face of curb to face of curb on streets improved with curbs and gutters and from edge of pavement to edge of pavement (not including shoulders) on streets without curbs and gutters.

Street, arterial: A street of substantial continuity, which serves or is, intended to serve a large volume of traffic for both the immediate area and the region in which it is located. An arterial street may be so designated on the Village’s Comprehensive Street Plan, or a regional plan under the jurisdiction of other governmental agencies. Tollways, freeways, expressways, state routes or county highways are examples of arterial streets.

Street, collector: A street used primarily to carry traffic from minor streets to arterial streets.

Street, cul-de-sac: A street of short length having only one outlet, and having a suitable terminus approved by the Village to provide for the safe and convenient reversal of traffic movements, including fire and emergency vehicles.

Street, frontage road: A street paralleling, adjacent to, and often within the right-of-way of an arterial street, which provides limited access to such arterial street from a collector or local street system.

Street, industrial service: A street used primarily for access to industrial sites within an industrial park or zoned industrial area.

Street, local: A street primarily providing access to adjacent land uses.

Street, minor: A street of limited continuity used primarily for access to abutting properties.

Subdivider/developer: A person who, or entity which, subdivides or re-subdivides land or develops land pursuant to a planned development plan

Subdivision: The partitioning or dividing of a parcel or tract of land which creates two or more parcels of land; all planned developments whether residential, commercial, or otherwise in nature; and to any other developments whether or not a partitioning or division is required under the applicable law, statutes, ordinances or regulations; and regardless of the label of such development. Provided, however, the conveyance of parcel(s) of real estate to the Village and the exchange of contiguous and adjoining real estate between adjoining property owners are not considered subdivisions and are exempt from the provisions of this Chapter. *Amended, 502*

Tract: A contiguous area of land.

Water service, individual: The water supply system of a building or premises consists of the water service pipe, the water distribution pipes, and the necessary connecting pipes, fittings, control valves and all appurtenances in or adjacent to such building or premises.

Water supply system, public: A water supply system that consists of drift formation, limestone formation and deep wells, surface sources and satellite sources for potable water to be conveyed by the Village water main system.

Waterworks: A waterworks in its entirety, or any integral part thereof, including hydrants, meters, valves, standpipes, storage tanks and all other elements useful in connection with a water supply or water distribution system.

Well: An underground source of water made accessible by drilling or digging to the level of the water table.

Wetland: A wetland is considered a subset of the definition of the Waters of the United States. Wetlands are land that is inundated or saturated by surface or ground water 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: 1) hydrology, 2) soils and 3) vegetation as mandated by the current

federal wetland determination methodology. *Amended, Ord. 397*

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