

ARTICLE VCOMMERCIAL DISTRICTS

5-101 PURPOSES

Four zoning districts are provided for commercial uses. When taken together, these districts are intended to permit development of property for the full range of commercial uses needed to serve the citizens of La Grange and surrounding areas in a suburban setting.

Specifically, the C-1 Central Commercial District is intended to provide for the development and maintenance of a concentrated, pedestrian-oriented commercial shopping center, with special provisions protecting, in the core of that district, the retail environment at street level.

The C-2 West End Commercial District is intended to provide areas in the Burlington-Hillgrove commercial corridor for existing commercial uses. This district is designed to encourage both the retention of existing businesses and the redevelopment of new uses compatible with nearby residential uses.

The C-3 General Service Commercial District is intended to provide areas for the development of service, commercial, and retail uses requiring direct vehicular access.

The C-4 Convenience Commercial District is intended to serve the day-to-day shopping and consumer service needs of the local low-density residential neighborhoods of the Village.

5-102 PERMITTED USES

The following uses and no others are permitted as of right in the Commercial Districts indicated in the following table. In interpreting the use designations, reference should be made to the Standard Industrial Classification Manual (see Appendix A) and Section 14-301 of this Code. SIC codes are given in parentheses following each use listing, when available. For a use including "NAICS" in parentheses, reference should be made to the North American Industrial Classification System Manual (1997). No Adult Uses are allowed in any Commercial District.

	C-1	C-2	C-3	C-4
<u>A. Construction, Special Trade Contractors</u>				
1. Plumbing, Heating, and Air-Conditioning Contractors and Showrooms (171)	-	-	P**	P
2. Painting & Paper Hanging Contractors & Showrooms (172)	-	-	P**	-
3. Electrical Work Contractors (173), but not highway lighting and electrical signal construction	-	-	P**	-
4. Terrazzo, Tile, Marble, and Mosaic Work Contractors (1743)	-	-	P**	-
5. Carpentry and Floor Work Contractors (175)	-	-	P**	-
6. Roofing, Siding, and Sheet Metal Work Contractors (176)	-	-	P**	-
7. Glass and Glazing Work Contractors and Showrooms (1793)	-	-	P**	-
8. Special Trade Contractors Not Elsewhere Classified (1799)	-	-	P**	-
9. General Contractors offices, not including outdoor storage	-	-	P**	-
<u>B. Printing, Publishing, and Allied Industries</u>				
1. Commercial Printing (275)	-	P	P	-
<u>C. Retail Trade</u>				
1. Stationery and Office Supply Stores (5112)	P	P	P	-
2. Lumber and Other Building Materials Dealers (521) when conducted wholly within a building	-	-	P	-
3. Paint, Glass, and Wallpaper Stores (523)	P	P	P	P
4. Hardware Stores (525)	P	P	P	P

		C-1	C-2	C-3	C-4
5.	Retail Nurseries, Lawn, and Garden Supply Stores (526) when conducted wholly within a building	P	P	P	P
6.	Department Stores (531)	P	P	P	P
7.	Variety Stores (533)	P	P	P	P
8.	Miscellaneous General Merchandise Stores (539)	P	P	P	P
9.	Food Stores (54)	P	P	P	P
10.	Automotive Parts, Accessories and Tire Stores (NAICS 4413) but not including service bays	-	-	P	-
11.	Boat Dealers (555)	-	-	P	-
12.	Apparel and Accessory Stores (56)	P	P	P	P
13.	Home Furniture and Home Furnishings Stores (571)	P	P	P	-
14.	Household Appliance Stores (572)	P	P	P	P
15.	Radio, Television, Consumer Electronics, and Music Stores (573)	P	P	P	P
16.	Eating Places (5812), including Brewpubs and including carry-out, but not including drive-in establishments	P	P	P	P
17.	Drinking Places (5813) accessory to eating places	P	P	P	P
18.	Drug Stores and Proprietary Stores (591) but not a store that sells CBD produces, Kratom products, and/or similar products as the store's principal use or substantial stock in trade.	P	P	P	P
19.	Used Merchandise Stores (593), but not including pawnshops or used building material stores	P	P	P	P

	C-1	C-2	C-3	C-4
20. Sporting Good Stores and Bicycle Shops (5941), but not including the retail sale of firearms and ammunition	P	P	P	P
21. Book Stores (5942)	P	P	P	P
22. Stationery Stores (5943)	P	P	P	P
23. Jewelry Stores (5944)	P	P	P	P
24. Hobby, Toy, and Game Shops (5945)	P	P	P	P
25. Camera and Photographic Supply Stores (5946)	P	P	P	P
26. Gift, Novelty, and Souvenir Shops (5947)	P	P	P	P
27. Luggage and Leather Goods Stores (5948)	P	P	P	P
28. Sewing, Needlework, and Piece Goods Stores (5949)	P	P	P	P
29. Florists (5992)	P	P	P	P
30. Tobacco Stores & Stands (5993) but not including e-cigarettes, hookahs, hookah bars, or similar uses as a principal use or substantial stock in trade of the establishment	-	P	P	P
31. News Dealers and Newsstands (5994)	P	P	P	P
32. Optical Goods Stores (5995), which may include an office of an optometrist but only accessory to Optical Goods Stores and subject to the following conditions: (a) in the C-1 District and the C-2 District the full width of the storefront must be devoted exclusively to retail sales to a depth within the store of not less than an average of 25 feet, as measured from the storefront windows and (b) the use must not	P	P	P	P

	C-1	C-2	C-3	C-4
be located within 600 feet of any other Optical Goods Stores with offices of Optometrists fronting on the same street				
33. Miscellaneous Retail Stores (5999), but not including auction rooms, firework sales, gravestone sales, monument sales, retail ice dealers, retail sale of swimming pools, sales barns, or tombstone sales, and not including a store that sells CBD products, Kratom products, and/or similar products as the store's principal use or substantial stock in trade.	P	P	P	P
34. Wine and Beer Boutiques, not including spirits (NAICS 445310)	P	P	P	P
D. <u>Finance, Insurance, and Real Estate</u>				
1. Consumer Lending (NAICS 522291), but not including loan agents, personal loans, or payday loans	P*	-	-	-
2. Depository and Nondepository Credit Institutions (60-61), but not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot (see spacing requirements below) †	P*†	P	P***	P
3. Security and Commodity Brokers, Dealers Exchanges, and Services (62) (see spacing requirements below) †	P*†	P	P***	-
4. Insurance Carriers, Agents, Brokers, and Services (63-64)	P*	P	P**	P
5. Real Estate Offices (65)	P*	P	P**	P
6. Holding and Other Investment Offices (67)	P*	P	P**	-
E. <u>Services</u>				

		C-1	C-2	C-3	C-4
1.	Veterinary Services for Animal Specialties with retail sales (0742)	P*	P	P	P
2.	Grooming Services for Pets (0752)	-	-	P	P
3.	Personal Physical Fitness Training and supervised exercise facilities in conjunction with retail sales (NAICS 713940), subject to the following conditions: (a) the use may not exceed 3,500 square feet of gross floor area on the first floor, (b) the use is permitted only in a storefront that does not exceed 30 feet in width at the front lot line, (c) in the C-1 District and the C-2 District the full width of the storefront must be devoted exclusively to retail sales to a depth within the store of not less than an average of 25 feet, as measured from the storefront windows.	P	P	P	P
4.	Photographic Studios, Portrait (722)	P*	P	P**	P
5.	Shoe Repair Shops (725) and Shoeshine Parlors when accessory to such shops	P	P	P	P
6.	Tax Return Preparation Services (7291)	P*	-	-	-
7.	Massage Therapy Services (7299), but only accessory to Beauty Shops, Exercise Centers, Fitness Salons and Spas in the C-1 and C-2 Districts	P	P	P**	P
8.	Advertising Services (731)	P*	P	P**	-
9.	Mailing, Reproduction, Commercial Art and Photography, and Stenographic Services (733)	P*	P	P**	-
10.	Services to Dwellings and Other Buildings (734)	-	-	P**	-

	C-1	C-2	C-3	C-4
11. Employment Agencies (7361)	P*	P	P**	P
12. Computer Programming, Data Processing, and Other Computer Related Services (737)	P*	P	P**	P
13. Interior Decorating (with retail inventory on display) (7389)	P	P	P	P
14. Electrical Repair Shops (762), but not including refrigeration and air-conditioning service and repair shops (7623)	-	P	P**	P
15. Mobile Phone Maintenance and Repair in conjunction with retail sales of mobile phone and computer accessories and peripherals, subject to the following conditions: (a) the use may not exceed 1,000 square feet of gross floor area on the first floor, (b) the use is permitted only in a storefront that does not exceed 30 feet in width at the front lot line, and (c) the full width of the storefront must be devoted exclusively to retail sales to a depth within the store of not less than an average of 25 feet as measured from the storefront windows. (7629)	P	P	P	P
16. Watch, Clock, and Jewelry Repair (763)	P	P	P	P
17. Reupholstery and Furniture Repair (764)	-	P	P	P
18. Video Tape Rental and Sales (784)	P	P	P	P
19. Fine Arts Schools (NAICS 611610)	P*	P	P**	P

	C-1	C-2	C-3	C-4
20. Offices and Clinics of Doctors of Medicine, Dentists, Osteopaths, Chiropractors, Optometrists, Podiatrists, and Other Health Practitioners (801-804)	P*	P	P**	P
21. Home Health Care Services (808)	-	-	P	-
22. Legal Services (81)	P*	P	P**	P
23. Barber Shops (NAICS 812111)	P	P	P	P
24. Beauty Salons (NAICS 812112)	P	P	P	P
25. Nail Salons (NAICS 812113) (see spacing requirements below)†	P†	P	P**	P
26. Dry-cleaning and Laundry Services (NAICS 812320), but not coin-operated in the C-1 and C-2 Districts	P	P	P	P
27. Exam Preparation and Tutoring (NAICS 611691)	P*	P	P**	P
28. Business Associations (861)	P*	P	P**	-
29. Professional Membership Organizations (862)	P*	P	P**	-
30. Labor Organizations (863)	P*	P	P**	-
31. Membership Organizations Not Elsewhere Classified (869), but not on the first floor of any structure in the C-2 District	P*	P	P**	-
32. Business and Professional Offices Not Otherwise listed, but not on the first floor of any structure in the C-2 District	P*	P	P**	P
33. Engineering, Architectural, and Surveying Services (871)	P*	P	P**	-
34. Accounting, Auditing, and Bookkeeping Services (872)	P*	P	P**	P
35. Management and Public Relations	P*	P	P**	-

	C-1	C-2	C-3	C-4
Services (874)				
36. Miscellaneous Services Not Elsewhere Classified (89)	P*	P	P**	-
37. Commercial Food Preparation Facilities, not exceeding 2,500 square feet of gross floor area in the C-1, C-2 and C-3 (Limited) Districts and subject to the conditions and limitations in Subsection 5-109F of this Code.	P	P	P	-
38. Waxing Salons (NAICS 81219), subject to the following conditions if located on the first floor within the portion of the C-1 District bounded by Burlington Avenue, 6th Street, Cossitt Avenue, and Ashland Avenue: (a) the full width of the storefront must be devoted exclusively to retail sales to a depth within the store of not less than an average of 15 feet as measured from the storefront windows and (b) the use must not be located within 600 feet of any other waxing salon fronting on the same street.	P	-	P	-
<u>F. Transportation and Utility Services</u>				
1. Travel Agencies (4724)	P*	P	P	P
2. Tour Operators (4725)	P*	P	P**	-
3. Airline, Bus, and Railroad Ticket Offices (4729)	P*	P	P**	-
4. Offices of Communications and Utility Companies (48-49)	P*	P	P**	-
G. <u>Multiple Family Dwellings</u> , but not on the first floor of any structure in the C-1 or C-2 Districts	P	P	P**	P

	C-1	C-2	C-3	C-4
H. <u>Personal Wireless Services Antennas and Related Electronic Equipment and Equipment Structures</u> , but not on the first floor of any structure and only when the antenna and any necessary antenna support structure are fully enclosed in a structure otherwise permitted on the zoning lot, and such antenna, support structure, and equipment fully comply with all standards and requirements applicable thereto including without limitation the standards set forth in Section 9-106 of this Code	P	-	-	-

* Except as provided in the next sentence of this footnote for interior leased spaces, this use is not permitted on the first floor of any structure in that portion of the C-1 Central Business District bounded by Burlington Avenue, 6th Street, Cossitt Avenue and Ashland Avenue. The restriction in this footnote is not applicable to uses within an interior leased space that meets all of the following criteria: (1) the leased space does not abut or have a window, door, or other opening onto a public street, (2) the interior of the leased space is not otherwise visible from a public street, and (3) the leased space is defined by separate demising walls and is not integrated with space that abuts or is otherwise visible from a public street.

** This use is not permitted on the first floor of any structure in that portion of the C-3 General Service Commercial District bounded by Ogden Avenue, Beacon Place, Hillgrove Avenue, and Madison Avenue, which portion is hereby designated the C-3 (Limited) District.

*** If this use is located within in the C-3 (Limited) District, bounded by Ogden Avenue, Beacon Place, Hillgrove Avenue, and Madison Avenue, then the use is subject to the following conditions: (1) the use is not permitted in a storefront unit with frontage on La Grange Road or Ogden Avenue, (2) the use may not exceed 3,100 square feet of gross floor area on the first floor, and (3) the owner of the property within which the use is located must pay the Village annually a fee in lieu of sales tax based on the amount of retail sales tax per square foot that would otherwise be generated by a sales tax generating retail use as calculated by the Village based on average sales tax generation for similar retail spaces in the vicinity of the subject use.

Accessory uses and structures are permitted in all Commercial Districts subject to the provisions of Section 9-101 of this Code.

5-104

TEMPORARY USES

Temporary uses are permitted in all Commercial Districts subject to the provisions of Section 9-103 of this Code.

5-105

SPECIAL USES

Except as specifically limited in the following table, the uses listed in the following table may be permitted in the Commercial Districts indicated subject to the issuance of a special use permit as provided in Section 14-401 of this Code. In interpreting the use designations, reference should be made to the Standard Industrial Classification Manual (see Appendix A) and Section 14-3 01 of this Code. SIC codes are given in parentheses following each use listing, when available. For a use with "NAICS" in parentheses, reference should be made to the North American Industrial Classification System Manual (1997). No Adult Uses are allowed in any Commercial District.

		C-1	C-2	C-3	C-4
A.	<u>Retail Trade</u>				
1.	Retail Nurseries, Lawn, and Garden Supply Stores (526) with outdoor storage	-	S	S	S
2.	New and Used Motor Vehicle Dealers (551)	-	-	S	-
3.	Auto and Home Supply Stores (553), with service bays	-	-	S	-
4.	Gasoline Service Stations (554)	-	S	S	S
5.	Live Entertainment accessory to permitted eating places, subject to the use limitations established in Subsection 5-109E of this Code (See also Paragraph 9-103C13.1 of this Code regarding a temporary use permit authorizing occasional live entertainment.)	S	S	S	-
6.	Outdoor Seating accessory to permitted eating places	S	S	S	S
7.	Drive-in Eating Places (5812)	-	-	S	-
8.	Microbreweries accessory to an eating place	S	S	S	-

		C-1	C-2	C-3	C-4
9.	Drive-in facility in the C-3 District accessory to a use authorized in the C-3 District by Section 5-102C of this Code	-	-	S	-
B. <u>Finance, Insurance, and Real Estate</u>					
1.	Drive-in Depository and Non-Depository Credit Institutions (60-61)	-	S	S	S
2.	Automatic Teller Machines when not attached to the principal structure on the lot	S	S	S	S
C. <u>Services</u>					
1.	Exercise Centers, Fitness Salons, and Spas (NAICS 713940)	S*	S	S	S
2.	Dry-cleaning Plants, Carpet and Upholstery Cleaning (7217)	-	-	S	-
3.	Medical and Miscellaneous Equipment Rental and Leasing (7352/7359)	-	S	S	-
4.	Bowling Centers (7933)	S	S	S	-
5.	Automobile Parking Lots (752) when intended to serve primarily the employees, customers, or visitors of one or more specific establishments located on the same lot, or within the same block or any block immediately adjacent thereto, where the principal use is located within the municipal boundaries of the Village of La Grange, but not tow-in parking lots	S	S	S	S
6.	Parking Structures (7521)	S	S	S	-

	C-1	C-2	C-3	C-4
7. Automotive Repair Shops (753), but not including tire retreading (7534)	-	-	S	-
8. Car Washes (7542)	-	-	S	-
9. Motion Picture Theaters except drive-in establishments (7832)	S	S	-	-
10. Membership Sports and Recreation Clubs except gun or shooting clubs (7997)	S*	S	S	S
11. Correspondence, Business, Secretarial, and Vocational Schools (824)	S*	S	S	S
12. Adult Day Care Services (832)	-	S	S	S
13. Child Day Care Services (835)	-	S	S	S
14. Political Organizations (865)	S*	S	S	-
15. Research, Development, and Testing Services (873)	S*	S	S	-
16. Children's Indoor Recreation subject to the following conditions (a) the fill width of the storefront must be devoted exclusively to retail sales to a depth with in the store of not less than an average of 25 feet, as measured from the storefront windows and (b) the use must not be located within 600 feet of any other children's indoor recreation use fronting on the same street.	S	-	-	-

D. Miscellaneous

1. Planned Developments	S	S	S	S
2. Landbanking of required parking, subject to Subsection 10-101E of this Code	S	S	S	S

* Except as provided in the next sentence of this footnote for interior leased spaces, this use is not permitted on the first floor of any structure in that portion of the C-1 Central Business District bounded by Burlington Avenue, 6th Street, Cossitt Avenue and Ashland Avenue. The restriction in this footnote is not applicable to uses within an interior leased space that meets all of the following criteria:(1) the leased space does not abut or have a window, door, or other opening onto a public street, (2) the interior of the leased space is not otherwise visible from a public street, and (3) the leased space is defined by separate demising walls and is not integrated with space that abuts or is otherwise visible from a public street.

** This use is not permitted on the first floor of any structure in that portion of the C-3 General Service Commercial District bounded by Ogden Avenue, Beacon Place, Hillgrove Avenue, and Madison Avenue.

‡ Except as provided in the last sentence of this paragraph, these Regulated Uses (as that term is defined in this footnote below) may not be located, established, maintained, or operated on the first floor of any zoning lot classified in the C-1 District that has frontage on a Restricted Street (as defined in this footnote below) if any portion of that zoning lot is located within 400 feet of any portion of any other zoning lot that has frontage on a Restricted Street and that currently is improved, in whole or in part, with a Regulated Use on the first floor. For purposes of this Article V, "Restricted Street" means (a) La Grange Road between Burlington Avenue and Cossitt Avenue, (b) Burlington Avenue between Ashland Avenue and La Grange Road, (c) Calendar Court between Ashland Avenue and La Grange Road, and (d) Harris Avenue between Ashland Avenue and 6th Street. Also for purposes of this Article V, "Regulated Use" means (1) manicure and pedicure salons, facial salons, and uses classified in NAICS category 812113 and (2) uses classified in SIC categories SIC 60, 61, and 62, and NAICS category 522291. The spacing standards established in this footnote do not apply to a Restricted Use that was established prior to, and that has a valid La Grange business license as of, November 1, 2009, (a "Pre-Existing Use") except that no Pre-Existing Use may be expanded, relocated, or otherwise altered in size or location and no Pre-Existing Use may be reestablished if it is discontinued for any period of 30 consecutive days, regardless of the cause of the discontinuance and regardless of any intent to reestablish that use.

5-106 PARKING AND LOADING REQUIREMENTS

The parking and loading requirements applicable in all Commercial Districts are set forth in Sections 10-101 and 10-102 of this Code.

5-107 SIGN REGULATIONS

Sign regulations applicable in all Commercial Districts are set forth in Article XI of this Code.

5-108 BUFFERS, LANDSCAPING, AND FENCE

Requirements relating to Buffering and landscaping of certain uses and structures and fences in commercial

Districts are set forth in Sections 9-104 and 9-105 of this Code.

5-109 USE LIMITATIONS

- A. Performance Standards. All activities involving the production, processing, cleaning, servicing, testing, or repairing of materials, goods, or products must conform to the use limitations established for the 1-1 Light Industrial District.
- B. Noise. No use may produce noise of such volume or pitch as to cause a nuisance in any residential district at any time or within any residential dwelling unit located in any district between the hours of 10:00 P.M. and 7:00 A.M.
- C. Exterior Lighting. Exterior lighting fixtures must be shaded so that no direct light is cast upon any property located in any residential district.
- D. Enclosed Structure. All business, service, storage, and display of goods, other than off-street parking and loading and the sale of motor vehicles fuels and related products when the same are allowed as a special use, must be conducted within a completely enclosed building.
- E. Live Entertainment. No special use permit for live entertainment may be granted except in accordance with all of the following conditions and limitations:
 1. Conditions and Limitations Applicable to All Uses.
 - (a) Application Requirements. Each application must describe the nature of the business and its operation, including hours of operation, number of employees, menu items (if applicable), and all other significant characteristics. Each application also must describe the anticipated impacts of the proposed special use on adjacent property and on the Village and must provide plans and information regarding the following matters:

- (1) Traffic circulation and parking; and
- (2) Crowd control and security; and
- (3) Sanitation; and
- (4) Noise control.

(b) Time Limitations. No live entertainment may extend or continue for more than four hours on any single calendar day, or take place between the hours of 12 a.m. and 9 a.m. on any day.

2. Additional Conditions and Limitations Applicable to Eating Places. Each special use permit for live entertainment accessory to a permitted eating place is subject to the imposition of conditions by the Board of Trustees governing: the locations at the eating place where performances may be conducted; the number of persons who may perform at one time; the number of performances per week, month, or year; the length of performances; and the hours within which performances may be conducted; the number of occupants at the eating place during times when performances are conducted; the use of amplified sound; the transferability of the special use permit; and the duration of the term of the special use permit.

G. Commercial Food Preparation Facilities. A commercial food preparation facility must comply with the following conditions and limitations:

1. Single owner. The facility must be owned by a single person or entity and may not have multiple owners.
2. Owner license required. No facility may be established except after the owner of the facility has been licensed as required by the La Grange Code of Ordinances.
3. Multiple-use by rental only. If the facility will be used at any time by persons or entities other than the owner of the facility, then that use must be by a written rental agreement.

4. User license required. No person or entity may rent or use a facility except after that person or entity has been licensed as required by the La Grange Code of Ordinances.
5. Retail or restaurant area required. A facility is permitted only if it is located behind an established, operating retail store or restaurant operating on the premises.
6. Food preparation not permitted in retail sales or restaurant area. The full width of the storefront of the premises in which a facility is located in the C-1, C-2, and C-3 (Limited) Districts must be devoted exclusively to retail sales or a restaurant. This retail sales or restaurant area must be at least 25% of the gross floor area of the premises.
7. Retail sales on premises. A retail sales or restaurant business must be operating on the premises of a facility at all times during all typical business hours in the area of the premises. The retail sales may consist of products from the Facility or any other retail products.
8. No reduction of retail space. No existing or new facility may be established, altered, or expanded in any way that reduces the area of the established retail or restaurant space within the premises, regardless of any claim that the retail or restaurant space is oversized or is underutilized for any reason.
9. Spacing requirement between facilities. A facility may not be located, established, maintained, or operated on any zoning lot in the C-1 District if any portion of that zoning lot is located within 400 feet of any portion of any other zoning lot on which a facility is located, regardless of zoning classification.

5-110 BULK, YARD, AND SPACE REQUIREMENTS

The building height, lot, yard, setback, coverage, and floor area ratio requirements applicable in the Commercial

Districts are set forth in the following table. Footnote references appear in Subsection F of this Section at the end of the table.

	C-1	C-2	C-3	C-4
A. <u>Maximum Height</u> ^{(1) (2)}				
1. <u>Stories</u> (whichever)	3	3	3	3
2. <u>Feet</u> (is less)	45	45	45	45
B. <u>Minimum Lot Area and Dimensions</u> ⁽³⁾				
1. Total Lot Area (square feet)				
(a) Multiple Family Uses (per unit)	2,000	2,000	2,000	1,300
(b) All Other Uses	N/A	N/A	N/A	N/A
2. <u>Lot Width</u> (feet)				
(a) Multiple Family Use	50	100	100	100
(b) All Other Uses	N/A	N/A	N/A	N/A
C. <u>Minimum Yards and Setbacks</u> feet) ^{(4) (5) (6) (7)}				
1. Front and Corner Side	N/A	N/A	N/A	N/A
2. Interior Side ^{(8) (9)}	N/A	N/A	N/A	N/A
3. Rear ⁽⁹⁾	N/A	N/A	N/A	N/A
D. <u>Maximum Total</u>				
<u>Building Coverage</u>	100%	75%	50%	50%
E. <u>Maximum Floor Area Ratio</u> ⁽¹⁰⁾	3.0	2.0	1.5	1.0

F. Exceptions and Explanatory Notes

1. Height Limitation for Accessory Structures. No accessory structure may exceed 15 feet in height measured from grade; provided, however, that flag-poles may extend to a height of 10 feet above the highest point of the roof of the principal structure and the height of any antenna with a surface area in excess of 10 square feet is governed by Subsection 9-101C of this Code.
2. Height Adjustments in Planned Developments. No adjustment pursuant to Section 14-508 of this Code of the maximum allowable height requirement may increase the maximum allowable height to more than the greater of five stories or 70 feet in any commercial district.
3. Nonconforming Lots. See Section 12-105 of this Code for lot requirements with respect to nonconforming lots of record.
4. Specified Structures and Uses in Required Setbacks. The following structures and uses, except as limited below, may be located in any required yard:
 - (a) Statuary, arbors, trellises, and ornamental light standards having a height of 10 feet or less; and
 - (b) Awnings, canopies, eaves, and gutters projecting not more than three feet into the required yard; and
 - (c) Bay windows and balconies projecting not more than three feet from an exterior wall for a distance not more than 1/3 of the length of such wall; provided that such projections must come entirely within planes drawn from the main corners of the building at an interior angle of 22-1/2* with the wall in question; and
 - (d) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting

- not more than two feet from an exterior wall; and
- (e) Outside stairways projecting from an exterior wall not more than three feet and having a height of four feet or less; and
 - (f) Flagpoles; and
 - (g) Terraces; and
 - (h) Recreational devices, except in front yards; and
 - (i) Fences, walls, and hedges, subject to the limitations of Sections 9-104 and 9-105 of this Code.
 - (j) Parking areas and lots, except in front yards and except in the C-1 District.
5. Platted Building Lines. See Subsection 15-101F of this Code.
6. Special Setbacks, La Grange Road. Notwithstanding any other provision of this Code to the contrary, in the area lying between 47th Street and the southerly limits of the Village, no building or other structure in any area now or hereafter zoned for any commercial use may be erected or maintained having any wall or other portion of said building or structure within 50 feet of the centerline of La Grange Road; nor may any such building or structure be required to be set back further than 50 feet from the centerline of La Grange Road; nor may any such building or structure designed for multiple family dwellings be erected or maintained having any wall or other portion of said building or structure within 75 feet of the centerline of La Grange Road.
7. Certain Yard Dimensions in Commercial Districts. No yard or setback is required except as provided in Paragraph F8 below or where the use directly abuts an R-1, R-2, R-3, R-4, or R-5 District. In such latter case, a setback must be provided in accordance with the requirement of the adjacent district. For purposes of this Paragraph,

properties separated by a street, alley, or other right-of-way will not be considered to be "directly abutting" properties.

8. Side Yards in Commercial Districts. No side yard is required for commercial uses except as provided in Paragraph F7 above. Multiple family uses must provide side yards of at least five feet plus two feet for each story over one or as provided in Paragraphs F6 and F7 above, whichever is greater.
9. Side and Rear Yard Regulations for Accessory Structures and Uses. Parking lots and areas wherever located and other detached accessory structures and uses when located within the rear 20 percent of the lot will not be required to maintain an interior side or rear yard or setback; provided, however, that this regulation does not apply to antennas and antenna support structures and provided further, however, that no accessory structure or use, or combination of such structures or uses, located within an otherwise required side or rear yard pursuant to this Paragraph may occupy more than 50 percent of such required yard.
10. Floor Area Ratio Adjustments. No adjustment pursuant to Section 14-508 of this Code of the maximum allowable floor area ratio requirement may increase the maximum allowable floor area ratio to more than 4.25 in the C-1 District, 3.0 in the C-2 District, and 1.8 in the C-3 District. No increase of the maximum allowable floor area ratio is allowed in the C-4 District. No such adjustment may be recommended or authorized except on the basis of the development's excellence in achieving the purposes of this Code. In determining whether such excellence has been shown, special consideration will be given to the following factors:
 - (a) The extent to which the developer has consolidated lots to achieve and exceed the minimum lot area required; and

- (b) The extent to which adjacent residential areas are buffered from the effects of the development; and
- (c) The quality and extent of landscaping, including special elements such as water features and public art; and
- (d) The quality of design of vehicular circulation elements and parking facilities; and
- (e) The care taken to maximize energy conservation in site design, building design, and building systems; and
- (f) The quality of roof design and finishes in terms of consistency with adjacent residential uses and the avoidance of flat roofs