

Village of La Grange

WORKSHOP AGENDA

PLAN COMMISSION
of the
VILLAGE OF LA GRANGE

Village Hall Auditorium

53 S. La Grange Road, La Grange, IL

Tuesday, July 14, 2015 - 7:30 p.m.

1. Call to Order and Roll Call of the Plan Commission
2. Business at Hand:

Discussion regarding amendments to the text of the Zoning Code – Plan Commission Case #223 – Village of La Grange.

3. Adjournment

(Commissioners: Please call 579-2320 to confirm your attendance.)

Individuals with disabilities and who require certain accommodations to participate at this meeting are requested to contact the ADA Coordinator at 579-2315, to allow the Village to make reasonable accommodations.



VILLAGE OF LA GRANGE
Community Development Department

MEMORANDUM

TO: Plan Commissioners

FROM: Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: July 14, 2015

**RE: WORKSHOP - CONTINUATION OF PLAN COMMISSION CASE #223-
Amendments to the Zoning Code.**

At your last meeting in June, staff and Village Attorney presented amendments to the Zoning Code for your consideration. At tonight's workshop meeting, staff will present additional information and revised recommendations based on last month's input for discussion.

Attached are the applicable Sections of the Zoning Code with revisions. Based on discussion at this workshop, we will prepare an ordinance for your review at a future public hearing. The following potential amendments will be discussed at our workshop:

- Commercial District Use Lists
 - Wine & Beer Boutiques
 - Brewpubs
 - Fitness Centers
 - Deletion of Hookah and E-cigarettes as primary sales
- Industrial District Use Lists
 - Craft Breweries & Craft Distilleries
 - Deletion of gun clubs, shooting clubs and airplane runways
- Accessory Uses & Structures
 - Donation Boxes
 - Playhouses & Treehouses
 - Greenhouses
- Small Cell Sites
- Fences
- Short Term Rental Housing
- Definitions

	C-1	C-2	C-3	C-4
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. Retail Auto and Home Supply Stores (553), but not including service bays	P	P	P	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), <u>including Brewpubs and carry-out</u> , 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)	P	P	P	P
<u>19 Wine and Beer Boutiques (NAICS 445310)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>2019</u> . Used Merchandise Stores (593), but not including pawnshops or used building material stores	P	P	P	P
<u>210</u> . Sporting Good Stores and Bicycle Shops (5941), but not including the retail sale of firearms and ammunition	P	P	P	P

	C-1	C-2	C-3	C-4
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 and Stands (5993), <u>but not including e-cigarettes, hookahs, hookah bars, or similar uses as a principal use or as substantial stock-in-trade of the establishment</u>	P	P	P	P
31. News Dealers and Newsstands (5994)	P	P	P	P
32. Optical Goods Stores (5995)	P	P	P	P
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	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*	-	-	-

	C-1	C-2	C-3	C-4
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**	-
<u>E. Services</u>				
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 space that does not exceed 30 feet in width at the front lot line, (c) <u>in the C-1 and C-2 District</u> the full width of the use at the storefront must be devoted exclusively to retail sales, and (d) the retail sales area of the use must have an average depth of not less than 25 feet measured from the storefront	P	P	P	P

1. Research and Development Laboratories not otherwise permitted (7391)
2. Passenger Car Rental and Leasing (7514-7515)
3. Membership Sports and Recreation Clubs (7997), but not including flying fields (runways) maintained by aviation clubs, gun clubs, shooting clubs
4. Offices of Health Practitioners not otherwise permitted (801-804)
5. Medical and Dental Laboratories (807)
6. Commercial Testing Laboratories not otherwise permitted (873)
7. Business and Professional Offices not otherwise listed

E. Transportation and Utility Services.

1. Local and Interurban Transit Terminals and Stations (411)
2. Public Utility Yards and Facilities (49)

F. Miscellaneous

1. Planned Developments
2. Landbanking of required parking, subject to Subsection 10-101E of this Code
3. Multiple Family Dwellings

6-106 PARKING AND LOADING REQUIREMENTS

The parking and loading requirements applicable in the O-1 District are set forth in Sections 10-101 and 10-102 of this Code.

6-107 SIGN REGULATIONS

Sign regulations applicable in the O-1 District are set forth in Article XI of this Code.

3. Landscape and Horticultural Services (078)

C. Construction

1. General Building Contractors (15), but not including outdoor storage
2. Heavy Construction Contractors (16), but not including outdoor storage
3. Special Trade Contractors (17), but not including outdoor storage

D. Manufacturing

1. Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties (203)
2. Bakery Products (205)
3. Candy and Confectionary Products (2064)
4. Craft Breweries and Craft Distilleries, as defined and regulated by Illinois law and the Illinois Liquor Control Commission, including Tasting Rooms.
5. Bottled and Canned Soft Drinks and Carbonated Waters (2086)
- ~~65.~~ Apparel and Other Finished Products Made From Fabrics and Similar Materials (23)
- ~~76.~~ Millwork, Veneer, Plywood, and Structural Wood Members (243)
- ~~87.~~ Wood Containers (244)
- ~~98.~~ Furniture and Fixtures (25)
- ~~109.~~ Paper and Allied Products (26)
- ~~110.~~ Printing, Publishing, and Allied Industries (27)
- ~~121.~~ Glass Products made of purchased glass (323)
- ~~132.~~ Pottery and Related Products (326)

3. Insurance Agents, Brokers, and Services (64)
4. Real Estate Establishments (65)
5. Holding and Other Investment Offices (67)

I. Services

1. Power Laundries, family and commercial (7211)
2. Linen Supply (7213)
3. Dry Cleaning Plants (7216)
4. Carpet and Upholstery Cleaning (7217)
5. Industrial Launderers (7218)
6. Laundry and Garment Services not elsewhere classified (7219)
7. Business Services (73), but not including heavy construction equipment rental or leasing (7353)
8. Utility Trailer and Recreational Vehicle Rental (7519)
9. General Automotive Repair Shops (7538)
10. Automotive Services, except repair and car washes (7549)
11. Miscellaneous Repair Services (76), but not including gun parts made to individual order
12. Motion Picture Production and Allied Services (781)
13. Motion Picture Distribution and Allied Services (782)
14. Dance Studios, Schools and Halls (7911)
15. Gymnastics Instruction only (7999~~+~~)
16. Medical and Dental Laboratories (807)
17. Home Health Care Services (808)
18. Legal Services (81)

6. Tire Retreading and Repair Shops (7534)
 7. Automotive Repair Shops not elsewhere classified (7539)
 8. Car Washes (7542)
 9. Physical Fitness Facilities (7991)
 10. Membership Sports and Recreation Clubs (7997) but not including flying fields (runways) maintained by aviation clubs, gun clubs, shooting clubs
 11. Amusement and Recreation Services not elsewhere classified (7999), but not including bookies, bookmakers, card rooms, gambling establishments, gambling machines, lotteries, or lottery clubs, shooting galleries, shooting ranges, skeet shooting facilities of any kind, or trapshooting facilities of any kind
 12. Health Services (80)
 13. Vocational Schools (824)
 14. Schools and Educational Services not elsewhere classified (829)
 15. Social Services (83)
 16. A medical cannabis dispensary, but not on any zoning lot with a side lot line that abuts a lot classified in any residential district.
- F. Miscellaneous
1. Planned Developments
 2. Landbanking of required parking, subject to Subsection 10-101E of this Code.
- G. Adult Uses. Adult uses, as that term is defined in this Subsection G, shall be authorized in the I-1 Light Industrial District subject to the issuance of a special use permit as provided in Section 14-401 of this Code and only in compliance with all of the following standards and regulations:

Undeveloped areas shall be mowed and kept free of accumulations of garbage, trash, refuse, debris, and other unsightly or nuisance creating materials until developed.

- K. Screening and Landscaping within Sight Triangles. Notwithstanding any other provision of this Section to the contrary, no landscaping, fencing, or other screening shall be erected or maintained in violation of the standards established in Chapter 154 of the La Grange Municipal Code.
- L. Driveway Clear Sight Areas. Any other provision of this Code to the contrary notwithstanding, nothing may be erected, placed, planted, allowed to grow, or maintained on any lot in any residential district above a height of three feet above grade within the area of a driveway clear sight area as defined in Section 16-102D of this Code.

9-105 FENCES

- A. Permit Required. No fence shall be erected, enlarged, expanded, altered, relocated, maintained, or repaired unless a Fence Permit shall have first been issued by the Village Manager.
- B. Prohibited Materials. No fence shall be constructed of the following materials:
 - 1. Any electrically charged element.
 - 2. Barbed wire, razor wire, or concertina wire, except barbed wire in the I-1 District above a height of seven feet.
 - 3. Chain link if located between the building line and a corner side lot line or front lot line.
 - 4. Woven mesh
 - 5. Temporary or incomplete structural members, such as non-rigid plastic, stakes, or un-framed chain link.
- C. Wind Pressure Design. Every fence shall be designed and constructed to resist a horizontal wind pressure of not less than 30 pounds per square foot.

D. Location on Front and Corner Side Yards. ~~No fence shall be constructed or maintained in any front yard or corner side yard except under the following circumstances.~~ Prohibited Locations. No fence shall be constructed or maintained (1) between the front building line of the principal structure and the front lot line or (2) in the corner side yard except under the following circumstances:+

1. on a residential lot abutting a school, church, parking lot, commercial use, or industrial use. Such fence shall be an open fence, shall be located only along the common lot line, and shall not exceed three and one half feet in height above the grade of the abutting lot.
2. along the corner side lot line of any corner lot. Such fence shall not exceed the following height above the grade of the property abutting such corner side lot line:
 - (a) six feet, in the area along the corner side lot line between the rear lot line and the point on the principal building closest to the point of intersection of the rear yard line and the corner side yard line; and
 - (b) three and one-half feet, in all other areas along the corner side lot line.

If the lot abuts an alley or a driveway at the intersection of the rear lot line and the corner side lot line, then no fence shall be permitted within 10 feet of such intersection. A solid fence not exceeding six feet in height shall be permitted along the diagonal line created by such required 10-foot open area.

3. at the intersection of the front lot line and the corner side lot line of any corner lot. Such fence may extend not more than 10 feet from said intersection along the front lot line and the corner side lot line. Such fence shall be an open fence, shall be constructed of decorative or ornamental materials such as wrought iron or split wooden rail, and shall not exceed 30 inches in height above the lowest grade of the property abutting either said lot

USE	REQUIRED SPACES
(ii) Warehouse and Storage	1 for each 1,000 square feet of gross floor area up to 20,000 square feet PLUS 1 for each 2,000 square feet of gross floor area from 20,001 to 40,000 square feet PLUS 1 for each 4,000 square feet of gross floor area in excess of 40,000 square feet
(iii) Office and other activities	1 for each 350 square feet of gross floor area
(iv) <u>Craft Brewery or Craft Distillery with Tasting Room</u>	<u>1 for each two employees PLUS 1 for each square feet of Tasting Room floor area.</u>
(i) <u>Printing, Publishing, and Allied Industries</u>	1 for each employee PLUS 1 for each company vehicle

2. Unspecified Uses. When the ultimate use of a structure is not known, the maximum number of spaces that might be required for any use to which the structure might reasonably be devoted shall be provided.

3. Computation of Required Spaces.

(a) Fractional Spaces. When determination of the the requirement of a fractional space, any fraction shall require one additional parking space.

(b) Capacity Calculations. When parking spaces are required on the basis of capacity, capacity shall be determined based on the occupancy standards established by the LaGrange Building Code.

(c) Bench Seating. In stadia, auditoria, houses of worship, and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each 22 inches of such seating facility shall

J. Total Combined Square Foot Area of Signs.

1. Maximum Allowed. Except as otherwise provided in this Subsection J, the total square footage of all awning, canopy, marquee, wall, and ground signs shall not exceed (a) one and one-half square feet per foot of lot frontage or (b) 200 square feet, whichever is less.
2. Special Exception In the C-3 District. In the C-3 General Service Commercial District, the square footage devoted to any ground sign identifying more than one business on the lot shall not be counted against the 200 square feet maximum set in Subparagraph 1 above.
3. Limitation On Tenant Signs. No sign identifying an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.

11-110: COMPREHENSIVE SIGN PLANS

- A. Commercial Building Comprehensive Sign Plan. A Commercial Building Comprehensive Sign Plan ("CBC Sign Plan") is a set of one or more drawings, specifications, and design criteria for all signs on a single commercial or industrial building in a commercial or industrial zoning district. An approved CBC Sign Plan establishes the number, locations, sizes, general design theme and guidelines, and other criteria for all current and future exterior signs on the building.
- B. Authority to Approve. The Village Manager may approve a CBC Sign Plan after the review and recommendation of the La Grange Design Review Commission as provided in Subsection J of this Section 11-110. The Village Manager may confer with the applicant before determining whether to approve a CBC Sign Plan. The Village Manager must act on a CBC Sign Plan application within 15 days after receipt of the recommendation of the Design Review Commission unless the applicant agrees in writing to a longer time period. The decision of the Village Manager will be final.
- C. Purpose and Intent. The purpose of a CBC Sign Plan is to create a unified plan for all exterior signs for a particular building. The authority in Subsection I of this

caused by government actions, strikes, material shortages, or acts of God, and without any contributing fault by the nonconforming user and (b) a period of vacancy of a space resulting from the departure of a nonconforming use and the inability of the owner of the structure to lease the vacant space despite the owner's diligent and continuous efforts to do so.

12-104 NONCONFORMING STRUCTURES

- A. Authority to Continue. Any nonconforming structure that is devoted to a use that is permitted in the zoning district in which it is located may be continued so long as it remains otherwise lawful, subject to the restrictions in Subsections B through D of this Section and Subsection D of Section 12-101 of this Code.
- B. Repair, Maintenance, Alterations, and Enlargement. Any nonconforming structure may be repaired, maintained, altered, or enlarged; provided, however, that no such repair, maintenance, alteration, or enlargement shall either create any additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure. The vertical or horizontal extension of an existing exterior wall of a single family detached dwelling that is nonconforming with respect to a minimum required yard will not be considered to increase the degree of that nonconformity so long as the extension does not encroach further into the required yard.
- C. Moving. No nonconforming structure shall be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.
- D. Damage or Destruction. Any nonconforming structure that is damaged or destroyed, by any means not within the control of the owner thereof, to any extent, may

for more than one principal use or one principal structure. No zoning lot zoned in any multiple family residential district shall be used for more than one principal use.

E. Exempt Uses.

1. Certain Utility Facilities~~Lines.~~ Except as provided in the next sentence of this Paragraph 1, ~~The~~ following utility uses are exempt from the provisions of this Code: public utility poles, wires, cables, conduits, vaults, laterals, pipes, mains, and valves, ~~but not including substations located on or above the surface of the ground, for the distribution to consumers of telephone, cable television or other communications,~~ for the distribution of electricity, gas, or water, or for the collection of sewage or surface water, or for telephone, cable television, or other communications. Pole-mounted or other above-ground telecommunications installations including without limitation small cells and other radio access nodes of all types are not exempt from the provisions of this Code and are not authorized except by approval of a special use permit ~~All such uses shall, however, comply with the subdivision and other applicable ordinances of the Village.~~

2. Railroad Right-of-Way Uses. ~~All~~ rRailroad rights-of-way, trackage, and passenger stations existing on the effective date of this Code ~~shall beare~~ exempt from ~~its~~ the provisions of this Code. ~~Any~~ All other railroad rights-of-way, facilities, or uses, or any change of ~~such an~~ existing facility, ~~shall, however, beare~~ subject to all of the provisions of this Code.

F. Private Agreements. This Code is not intended to abrogate, annul, or otherwise interfere with any platted building line, easement, covenant, or other private agreement or legal relationship; provided, however, that where the regulations of this Code are

- B. When used in this Code, the following terms shall have the meanings herein ascribed to them:

BASEMENT. A portion of a structure located partly underground but having less than half its clear floor to ceiling height over more than half of its floor area below grade.

BAY WINDOW. A large window or set of windows of one or more stories in height protruding from the outer wall of a house and creating a recessed space within the house.

BERM. A hill or contour of land that acts as a visual barrier between a lot and adjacent properties, alleys, or streets.

BLOCK. A tract of land bounded by streets or by a combination of streets, public lands, railroad rights-of-way, waterways, or boundary lines of the Village.

BOARD OF APPEALS. The Zoning Board of Appeals of the Village. See Section 13-102 of this Code.

BOARD OF TRUSTEES. The President and the Board of Trustees of the Village of LaGrange.

BOUTIQUE. A small retail shop that specializes in a particular product such as women's clothes, food, or wine, for example.

BREW PUB. An establishment where beer is brewed or manufactured primarily for distribution and consumption in an adjoining full-service restaurant.

BUFFERING. Any means of protecting a parcel from the visual or auditory effects of an adjacent use. Buffering may include, but is not limited to, berming, fencing, landscaping, setbacks, or open spaces.

BUILDING. Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property.

BUILDING, ACCESSORY. See Section 9-101 of this Code.

BUILDING CODE. The Building Code of the Village of LaGrange.

BUILDING COVERAGE. The percentage of a lot's area covered, whether at grade or above or below grade, by any portion of a building or structure, including without limitation porches, except the following: (a) The only portions of eaves on a single family detached dwelling that are included in the calculation of building coverage are those portions that extend within three feet of any lot line;

(b) a swimming pool built entirely at and below grade is not included in the calculation of building coverage; and (c) a deck is not included in the calculation of building coverage. See also Subsection 16-102I for the definition of "Impervious Surface," Subsection 16-102L for the definition of "Lot Coverage," and Subsection 16-102D for the definition of "Deck."

BUILDING DEPTH. The longest straight line that can be drawn through a structure, from one end to the other end, substantially parallel to the side or corner side lot lines of the lot on which it is located.

BUILDING, DETACHED. A building surrounded entirely by open space.

BUILDING HEIGHT. See Subsection 16-102H for "Height."

BUILDING LINE. The average distance between a lot line and the exterior wall of the principal structure facing that lot line. The building line is drawn parallel to the lot line at the average distance from the lot line of the exterior wall.

BUILDING OR STRUCTURE FRONT. Except as provided in Subsection 16-102H of this Section, that exterior wall of a building or structure facing the front lot line of the lot on which it is located.

BUILDING, PRINCIPAL. A building in which is conducted the principal use of the lot on which the building is situated.

BUILDING WIDTH. The longest straight line that can be drawn through a structure, from one side to the other side, parallel to the front lot line.

BULK AND SPACE REGULATIONS. The regulations of this Code pertaining to the permissible or required height, volume, area, floor area, floor area ratio, minimum lot area and dimensions, building coverage, lot coverage, and usable open space applicable to uses and structures. The term does not include yard requirements.

BULLETIN BOARD SIGN. See Section 11-105 of this Code.

BUSINESS DISTRICT. Any district whose designation begins with the letter "C," as set forth in Section 2-101 of this Code.

BUSINESS SIGN. See Section 11-105 of this Code.

BUSINESS USE OR PURPOSE. Any use permitted in a business district.

COMMERCIAL FOOD PREPARATION FACILITY. Any retail establishment that rents, or otherwise makes available, commercial-grade kitchen space within the establishment for use by persons or entities for food preparation for any purpose, including without limitation retail sale, catering, personal use, temporary extra production capacity, menu planning, training, taste testing, product development, food packaging, or food storage. A commercial food preparation facility in the I-1 Light Industrial District is not required to have a retail use on the premises.

COMMERCIAL USE OR PURPOSE. Any use permitted in a commercial district.

COMPLETELY ENCLOSED BUILDING. A building separated on all sides from the adjacent open area, or from other buildings or structures, by a permanent roof and by exterior walls or party walls, pierced only by windows or doors normally provided for the accommodation of persons, goods or vehicles. However, a parking structure that has less than 50 percent of its outer wall space open but that does not allow any parked vehicle within said structure to be seen from the exterior thereof shall be considered a completely enclosed building.

COMPREHENSIVE PLAN. See Subsection 2-105B of this Code.

CONGREGATE HOUSING. Any use of a dwelling unit for the habitation by persons, whether adults or minors, who do not constitute a family and who are suffering from a handicap as defined in, or judicially construed to be covered by, the United States Fair Housing Act, 42 U.S.C. § 3602(h)(1), as amended from time to time, or from a disability or impairment that the Board of Trustees determines, in its sole and absolute discretion, is similar to, but does not fall within said definition of, a handicap, together with care givers and staff. The following are specifically excluded from this definition: living arrangements that serve as an alternative to incarceration, hospitals and clinics, boarding houses, convalescent homes, homes for the aged, and similar facilities.

CONSTRUCTION SIGN. See Section 11-105 of this Code.

CORNER LOT. See Subsection 16-102L of this Section.

CRAFT BREWERY. A small-production beer manufacturing facility operated in accordance with Illinois law regarding production limits.

CRAFT DISTILLERY. A small-production facility in which alcoholic liquors are made by distillation in accordance with Illinois law regarding production limits.

CUL-DE-SAC. A minor street having one end open and one end permanently terminated by a vehicular turn-around.

CURB LEVEL. The street curb height at the mid-point of a lot line. Where no curb exists, the elevation of the crown of the street at the midpoint of the lot line shall be deemed to be the curb level.

- D. When used in this Code, the following terms shall have the meanings herein ascribed to them:

DAY CARE. Daytime care or instruction of children away from their own homes by a person other than a relative, whether or not for compensation or reward.

DAY CARE HOME. A place providing day care for children and being operated as a home occupation.

DECK. A structure attached to any dwelling unit that is designed and intended for the support of persons; that is made of wood; that has no permanent cover or canopy; that is constructed on piers and without continuous foundation or footings; and that has no part extending above the floor level of the first story of such dwelling, excluding any basement; provided, however, that protective, decorative, or ornamental appurtenances such as hand railings, benches, and the like may extend to a height of 42 inches above such floor level.

DEDICATION. The designation of land for a public use by the owner thereof.

DENSITY. The number of persons, families, or dwelling units or the amount of gross floor area in a building, on a lot, or in a development.

DENSITY, GROSS. The density of a development divided by the gross area of the development.

DENSITY, NET. The density of a development divided by the net area of the development.

DEPTH OF LOT. See Subsection 16-102L of this Section.

DESIGN REVIEW COMMISSION. The Design Review Commission of the Village of LaGrange. See Section 13-104 of this Code.

- S. When used in this Code, the following terms shall have the meanings herein ascribed to them:

SATELLITE RECEIVING ANTENNA. See Subsection 16-102A of this Section and Section 9-101 of this Code.

SCREENING. A structure erected or vegetation planted to conceal an area from view.

SEAT WALL. A wall on or abutting a deck, patio, or distinct landscape feature, designed for seating and not exceeding 22 inches in height at any point.

SENIOR CITIZEN HOUSING. A dwelling unit in a dwelling:

- (a) constructed, maintained, and operated for the exclusive occupancy by: (i) persons who are at least 62 years of age; (ii) persons who are under a disability or are handicapped as determined by the regulations of the United States Department of Housing and Urban Development; or (iii) two or more persons, one of whom meets the occupancy criteria stated in (i) or (ii): provided, however, that not more than one dwelling unit in such dwelling may be occupied by a resident manager who does not meet the aforesaid occupancy criteria; and
- (b) that complies with such special construction standards that may from time to time be imposed on dwellings constructed and maintained pursuant to the United States Housing Act of 1937 by federal statute or regulation and such additional special construction standards for Senior Citizen Housing as the Board of Trustees may, from time to time, approve by ordinance or resolution; and
- (c) that may provide communal eating facilities for the exclusive use of the aforesaid occupants and their occasional guests.

SETBACK. The minimum horizontal distance between a specified lot line, measured at a right angle to such lot line, and the nearest point of a building or structure.

- SHORT-TERM RENTAL HOUSING. A dwelling that is offered or otherwise available for occupancy by a person or persons other than the owner for any period of time less than 30 days, regardless of the form of rent or other consideration. Short-term rental housing is not a single family detached dwelling

and is not permitted in any single family residential district.

SIDE LOT LINE. See Subsection 16-102L of this Section.

SIDEWALK, ENTRY. The sidewalk on private property serving as the principal means of pedestrian access to the lot, typically leading from the sidewalk on adjacent public-right-of-way to the front entry of the building on the lot, and typically traversing the front yard or corner side yard.

SIDE YARD. See Subsection 16-102Y of this Section.

SIDE YARD LINE. See Subsection 16-102Y of this Section.

SIGHT TRIANGLE. See Subsection 16-102C for "Clear Sight Area," and Subsection 16-102D for "Driveway Clear Sight Area."

SIGN. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. For definitions of particular functional and structural types of signs, see Section 11-105 of this Code.

SIGN, NONCONFORMING. Any sign that fails to conform to the regulations of Sections 11-108 and 11-109 of this Code.

SIGN WITH BACKING. Any sign that is displayed upon, against, or through any material or color surface or backing that forms an integral part of such display and differentiates the total display from the background against which it is placed.

SIGN WITHOUT BACKING. Any sign other than a sign with backing.

SINGLE FAMILY ATTACHED DWELLING. See Subsection 16-102D for "Dwellings, Single Family Attached."

SINGLE FAMILY DETACHED DWELLING. See Subsection 16-102D for "Dwellings, Single Family Detached."

SITE PLAN APPROVAL. See Section 14-402 of this Code.

SMOKE. Small gas-borne particles other than water that form a visible plume in the air.

- T. When used in this Code, the following terms shall have the meanings herein ascribed to them:

TASTING ROOM. A room accessory to a Craft Brewery or a Craft Distillery in which food and the products produced in the brewery or distillery are offered to the public.

TEMPORARY SIGN. See Section 11-105 of this Code.

TEMPORARY STORAGE CONTAINER. Any sort of portable self-storage container delivered to a property to store belongings for a limited period of time. Temporary storage containers are sometimes known as "PODS" (portable on-demand storage containers).

TEMPORARY USES. See Section 9-103 of this Code.

TRELLIS. See Subsection 16-102A for "Arbor."

TWO FAMILY DWELLING. See Subsection 16-102D for "Dwelling, Two Family."

- W. When used in this Code, the following terms shall have the meanings herein ascribed to them:

WALL SIGN. See Section 11-105 of this Code.

WARNING SIGN. See Section 11-105 of this Code.

WHOLESALE TRADE. A business engaged in the sale of commodities in quantity, usually for resale or business use chiefly to retailers, other businesses, industries, and institutions rather than to the ultimate consumer.

WIDTH OF LOT. See Subsection 16-102L for "Lot Width."

WINDOW SIGN. See Section 11-105 of this Code.

WINE AND BEER BOUTIQUE. A retail establishment specializing in the sale of wine and, optionally, craft beer as its primary stock-in-trade. Wine and Beer Boutiques may not sell spirits.