

ARTICLE VIIISPECIAL DISTRICTS

PART I: OPEN SPACE DISTRICT

8-101 PURPOSE

The OS Open Space District is intended to recognize the existence of major open space and recreational areas in the Village. The Open Space District is intended to apply to all public open space of notable quality and to major private open spaces such as golf courses. Any use of such spaces inconsistent with their existing, established character will require rezoning.

8-102 PERMITTED USES

The following uses and no others are permitted as of right in the Open Space District:

- A. Parks, children's playgrounds, forest preserves, botanical and zoological gardens, arboreta, conservatories, passive recreational areas, play fields, splash pads and similar water features, and passive use open areas owned by an Illinois unit of local government, and not including any use or facility listed in Subsection 8-105A.
- B. Small storage sheds, storage boxes, players' benches, temporary and permanent washroom facilities, picnic shelters, and portable bleachers owned by an Illinois unit of local government and accessory to a use permitted in Subsection A of this section, and not including any use or facility listed in Subsection 8-105A.

- C. Public or private golf courses, including associated structures such as club houses, maintenance buildings, and pro shops.

8-103 ACCESSORY USES AND STRUCTURES

Accessory uses and structures, including outdoor storage, are permitted in the Open Space District subject to the provisions of Section 9-101 of this Code.

8-104 TEMPORARY USES

Temporary uses are permitted in the Open Space District subject to the provisions of Section 9-103 of this Code.

8-105 SPECIAL USES

The following uses and no others may be authorized in the Open Space District subject to the issuance of a special use permit as provided in Section 14-401 of this Code.

- A. Active recreation areas owned by an Illinois unit of local government such as basketball, tennis, handball, racquetball, and similar courts and skate parks.
- B. Band shells.
- C. Facilities owned by an Illinois unit of local government that (i) are accessory to the uses listed in Subsections 8-102A and 8:105A and (ii) are not authorized by Subsection 8-102B, such as concession stands, covered dugouts, permanent bleachers taller than eight risers, and broadcast booths.
- D. Uses listed in Subsections 8-102A and 8-102B that are privately owned.
- E. Landbanking of required parking, subject to Subsection 10-101E of this Code.

8-106 PARKING AND LOADING REQUIREMENTS

Off-street parking and loading requirements applicable in the Open Space District are set forth in Sections 10-101 and 10-102 of this Code.

8-107 SIGN REGULATIONS

Sign regulations applicable in the Open Space District are set forth in Article XI of this Code.

8-108 BUFFERS, LANDSCAPING, AND FENCES

Requirements relating to buffering and landscaping of certain uses and structures and fences in the Open Space District are set forth in Sections 9-104 and 9-105 of this Code.

8-109 BULK, YARD, AND SPACE REQUIREMENTS

The building height, lot, yard, and floor area ratio requirements applicable in the Open Space District are set forth in the following table. Footnote references appear in Subsection E of this Section at the end of the table.

A.	<u>Maximum Height</u> (feet) ^{(1) (2)}	35
B.	<u>Minimum Lot Area and Dimensions</u> ⁽³⁾	
1.	<u>Total Lot Area</u> (square feet)	
	(a) Passive Recreation Areas	N/A
	(b) Neighborhood Playgrounds	N/A
	(c) Museums and Art Galleries	7,500
	(d) All Other Uses	15,000
2.	<u>Lot Width</u> (feet)	
	(a) Passive Recreation Areas	50
	(b) Neighborhood Playgrounds	50
	(c) Museums and Art Galleries	50
	(d) All Other Uses	100

C. Minimum Yards^{(4) (5) (6) (7) (8)}

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|----|--|---------------------|
| 1. | <u>Front and Corner Side</u> (feet) | |
| | (a) Passive Parks | N/A |
| | (b) Neighborhood Playgrounds | 10 to activity area |
| | (c) Libraries and Information Centers | 15 |
| | (d) Museums and Art Galleries | 15 |
| | (e) All Other Uses | 35 |
| 2. | <u>All Other</u> (feet) ⁽⁹⁾ | |
| | (a) Passive Parks | N/A |
| | (b) Neighborhood Playgrounds | 5 |
| | (c) Libraries and Information Centers | 5 |
| | (d) Museums and Art Galleries | 5 |
| | (d) All Other Uses | 20 |

D. Maximum Floor Area Ratio⁽¹⁰⁾

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|----|---------------------------------------|------|
| 1. | <u>All Permitted Uses</u> | 0.10 |
| 2. | <u>Special Uses</u> | |
| | (a) Libraries and Information Centers | 0.45 |
| | (b) Museums and Art Galleries | 0.45 |
| | (c) All Other | 0.25 |

E. Exceptions and Explanatory Notes

1. Height Limitation for Accessory Structures. No accessory structure shall exceed 15 feet in height measured from grade; provided, however, that flagpoles 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 shall be governed by Subsection 9-101C of this Code.
2. Increased Height in Areas Remote from Single Family Districts. Maximum height may be increased one additional foot, up to a maximum of

20 additional feet, for every five feet by which the setback of the portion of the building in question from the nearest single family residential district exceeds 20 feet.

3. Nonconforming Lots. See Section 12-105 of this Code for lot requirements with respect to nonconforming lots of record.
4. Yard Requirements for Uses Without Structures. On any lot occupied by a use without structures, the minimum front, side, and rear yard requirements that would otherwise be required for such lot shall be provided and maintained.
5. Visibility Across Corners. Notwithstanding any other provision of this Code to the contrary, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in the Open Space District in violation of the standards established in Chapter 154 of the LaGrange Municipal Code.
6. Special Setbacks for Signs. Special setbacks established for some signs in Article XI of this Code shall control over the yards and setbacks established in the table.
7. Special Yard and Setback Requirements for Recreational Devices. Recreational devices and play fields shall be set back a distance of 15 feet from all property lines. No recreational devices shall be permitted in the required front and corner side yard.
8. Platted Building Lines. See Subsection 15-101F of this Code.
9. Special Yards for Parking Areas and Lots. Parking areas and lots may be located in any required rear yard.

10. No Application of Floor Area Ratio Limitation to Existing Structures. The maximum floor area ratio limitation applies only to structures erected after the effective date of this Code; provided, however, that no structures existing on such effective date shall be expanded in violation of this standard.

PART II: INSTITUTIONAL BUILDINGS DISTRICT

8-201 PURPOSE

The IB Institutional Buildings District is established to accommodate existing and future public buildings and buildings having purposes and impacts similar to public buildings. By creation of this special district, it is the intent of this Code to avoid the problems inherent in treating such buildings as permitted or special uses in zoning districts characterized by uses and structures bearing no similarity to public and institutional uses and buildings.

8-202 PERMITTED USES

The following uses and no others are permitted as of right in the Institutional Buildings District:

- A. Publicly owned parks, playgrounds, forest preserves, botanical and zoological gardens, arboreta, conservatories, recreational areas, and other open spaces.
- B. Any governmental activity or service conducted within a building owned or leased by a public body.
- C. Any use listed in Section 8-205 to the extent it existed on the effective date of this Code; provided, however, that any change of such use or any lot or structure associated with it after such effective date shall comply with the regulations of this Part II, except as provided in Article XII of this Code.

8-203 ACCESSORY USES AND STRUCTURES

Accessory uses and structures are permitted in the Institutional Buildings District subject to the provisions of Section 9-101 of this Code.

8-204 TEMPORARY USES

Temporary uses are permitted in the Institutional Buildings District subject to the provisions of Section 9-103 of this Code.

8-205 SPECIAL USES

The following private uses may be permitted in the Institutional Buildings District 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 14-301 of this Code. SIC codes are given in parentheses following each use listing, when available.

- A. Fitness and Recreational Centers (NAICS 713940)
- B. Public Sports and Recreation Buildings and Facilities
- C. Offices of Health Practitioners (801-804)
- D. Nursing and Personal Care Facilities (805)
- E. Hospitals (806)
- F. Medical and Dental Laboratories (807)
- G. Outpatient Care Facilities (808)
- H. Health and Allied Services not otherwise listed (809)
- I. Elementary and Secondary Schools (8211).

- J. Colleges, Universities, and Professional Schools (8221).
- K. Libraries and Information Centers (823).
- L. Individual and Family Services (832).
- M. Child Day Care Services, including tutoring for children (835).
- N. Residential Care (836).
- O. Museums and Art Galleries (841).
- P. Business Associations (861).
- Q. Professional Membership Organizations (862).
- R. Civic, Social, and Fraternal Associations (864).
- S. Religious Organizations (866).
- T. Memorial Gardens accessory to a church.
- U. Publicly owned or operated parking lots or structures.
- V. Publicly owned or operated open storage and maintenance yards.
- W. The following Retail Trade Uses, but only when located in a building in which at least 80 percent of the net floor area is devoted to Health Services uses authorized by this Section 8-205:
 - 1. Eating Places (5812)
 - 2. Drug Stores and Proprietary Stores (591)
 - 3. Book Stores (5942)
 - 4. Stationery Stores (5943)
 - 5. Gift, Novelty, and Souvenir Shops (5947)
 - 6. Florists (5992)

7. Cigar Stores and Stands (5993)
 8. News Dealers and Newsstands (5994)
 9. Beauty Shops (723)
 10. Barber Shops (724)
- X. Personal Wireless Services Antennas and Related Electronic Equipment and Equipment Structures, but only when the antenna is fully enclosed, or when the antenna is limited to an omni directional or whip antenna or a directional or panel antenna located on the roof of a lawfully pre-existing building that will serve as an antenna support structure, and when all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot, and subject to the following standards:
- a. Notwithstanding the provisions of Section 8-209A of this Code, omni directional or whip antennas may extend to a height not exceeding 10 feet above the highest point of the roof of the building or structure to which they are attached; and
 - b. Notwithstanding the provisions of Section 8-209A of this Code, directional or panel antennas may extend not more than 6 feet from the roof of the building or structure to which they are attached.
 - c. Personal wireless services antennas shall be required to maintain all yard or setback standards of the IB District.
 - d. See Section 9-106 of this Code for additional standards applicable to personal wireless services antennas and antenna support structures.
 - e. Notwithstanding any other provision of this Code, the regulations in the IB District related to personal wireless service antennas and antenna support structures shall not apply to the Village in constructing, operating, or maintaining such an antenna or antenna support structure for governmental purposes.

8-206 PARKING AND LOADING REQUIREMENTS

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

8-207 SIGN REGULATIONS

Sign Regulations applicable in the Institutional Buildings District are set forth in Article XI of this Code.

8-208 BUFFERS, LANDSCAPING, AND FENCES

Requirements relating to buffering and landscaping of certain uses and structures and fences in the Institutional Buildings District are set forth in Sections 9-104 and 9-105 of this Code.

8-209 BULK, YARD, AND SPACE REQUIREMENTS

The building height, lot, yard, setback, and floor area ratio requirements applicable in the Institutional Buildings District are set forth in the following table. Footnote references appear in Subsection E of this Section at the end of the table.

A.	<u>Maximum Height</u> (feet) ^{(1) (2) (3) (4)}	45
B.	<u>Minimum Lot Area and Dimensions</u> ^{(1) (5) (6)}	
1.	<u>Total Lot Area</u> (square feet)	
	(a) Elementary Schools	40,000
	(b) Secondary Schools	80,000
	(c) Colleges and Universities	80,000
	(d) Libraries and Information Centers	20,000
	(e) Museums and Art Galleries	7,500
	(f) Membership Organizations	20,000
	(g) Other Public Buildings and Yards	15,000
2.	<u>Lot Width</u> (feet)	100

C. Minimum Yards and Setbacks^{(1) (7) (8) (9) (10) (11)}

1. <u>Front and Corner Side</u> (feet)	15
2. <u>All Other</u> (feet) ⁽¹²⁾	5
3. <u>Setback from any Single Family Residential District</u> (feet) ⁽¹³⁾	35

D. Maximum Floor Area Ratio^{(1) (13)}

1. <u>Libraries and Information Centers</u>	1.00
2. <u>Museums and Art Galleries</u>	1.00
3. <u>Membership Organizations</u>	0.75
4. <u>Nursing and Personal Care Facilities</u>	0.50
5. <u>All Other Uses</u>	0.45

E. Exceptions and Explanatory Notes

1. Exception for Residential Structures. When any residential structure is located in an IB District, it shall be subject to the bulk, space, yard, and floor area ratio regulations of the residential district to which it is nearest adjacent.
2. Height Limitation for Accessory Structures. Except as provided in Paragraph 3 of this Subsection E, no accessory structure shall exceed 15 feet in height measured from grade; provided, however, that flagpoles 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 shall be governed by Subsection 9-101C of this Code.
3. Height Exceptions. Church spires and minarets may extend to a height of 84 feet, and publicly owned antennas and antenna support structures may extend to such height as the Village Manager may approve as necessary to carry out the public function in question.

4. Increased Height in Areas Remote from Single Family Districts. Maximum height may be increased one additional foot, up to a maximum of 10 additional feet, for every five feet by which the setback of the portion of the building in question from the nearest single family residential district exceeds 25 feet.
5. No Application of Minimum Lot Standards to Existing Uses. The minimum lot area and width requirements apply only to uses established after the effective date of this Code. A use established prior to the effective date of this Code shall not be considered to be a nonconformity by reason of its failure to comply with these requirements, but shall be allowed to continue on its existing zoning lot or any expansion thereof zoned or rezoned for institutional buildings use.
6. Nonconforming Lots. See Subsection 12-105C of this Code for lot requirements with respect to nonconforming lots of record.
7. Yard Requirements for Uses Without Structures. On any lot occupied by a use without structures, the minimum front, side, and rear yard requirements that would otherwise be required for such lot shall be provided and maintained.
8. Visibility Across Corners. Notwithstanding any other provision of this Code to the contrary, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in the Institutional Buildings District in violation of the standards established in Chapter 154 of the La Grange Municipal Code.
9. Special Setbacks for Signs. Special setbacks established for some signs in Article XI of this

Code shall control over the yard and setback requirements established in the table.

10. Platted Building Lines. See Subsection 15-101F of this Code.
11. Side and Rear Yard Regulations for Accessory Structures and Uses. Parking areas wherever located and other detached accessory structures and uses when located within the rear 20 percent of the lot shall not be required to maintain in interior side or rear yard or setback in excess of eight feet; provided, however, that this regulation shall 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 shall occupy more than 30 percent of such required yard.
12. Special Rear Yard Exception for Parking Areas and Lots. Parking areas and lots may be located in any required rear yard.
13. No Application of Special Setback and Floor Area Ratio Requirements to Existing Structures. The special setback and floor area ratio requirements apply only to structures erected after the effective date of this Code; provided, however, that no structure existing on such effective date shall be expanded in violation of this regulation.

PART III: DESIGN REVIEW OVERLAY DISTRICT

8-301 PURPOSES

The regulations of the Design Review Overlay District are intended to promote the historic, architectural, and residential qualities of the Village and thereby preserve the distinctive character of the Village, to foster compatibility among uses, and to protect sensitive areas of transition from one land use to another. Various areas of the Village, such as the area around and the downtown business district among others, have special historical, cultural, and design significance. These areas contain historic or unique sites deserving protection. Many areas also serve a sensitive transitional function from one land use to another that must be protected from incompatible development or redevelopment. The preservation and appropriate development of these areas require rules and regulations specifically addressing these distinctive characteristics. The Design Review District has been created and shall be mapped on the Zoning Map in furtherance of the following public purposes, which are hereby found to be in the interest of the health, prosperity, and welfare of the Village and its residents:

- A. Special Character. To effect and accomplish the protection, enhancement, perpetuation, and use of improvements and areas of special character or special historic and aesthetic interest or value which represent or reflect elements of the Village's cultural, social, economic, political, and architectural history or distinction.
- B. Local Atmosphere. To maintain the local, "small town" atmosphere of various residential and business areas within the Village.

- C. Compatibility. To insure compatibility of new development with the existing characteristics of the area.
- D. Transitional Areas. To protect sensitive areas of transition from one land use to another.
- E. Attractiveness. To protect and enhance the Village's attractiveness to visitors and the support and stimulus to local business provided thereby.
- F. Strong Economy. To strengthen the economy of the Village.
- G. Education, Pleasure, and Welfare. To promote the use of areas within the Design Review District for the education, pleasure, and welfare of the residents of the Village.

8-302 OVERLAY DISTRICT

The Design Review District appears on the Zoning Map as an "overlay district," imposed on top of other districts created by this Code and referred to in this Part III as "base districts." Development of properties in the Design Review District must comply both with the regulations of the Design Review District and with the regulations of the base district in which they are located. When there is any conflict between the Design Review District and the base district, the more restrictive provision shall control.

8-303 MAPPING RESTRICTIONS

The Design Review District shall be mapped on the Zoning Map only in those areas of the Village that constitute logically distinct areas having the potential to provide cultural and civic benefits for the residents of the Village by reason of the prevalence of at least two of the following factors:

- A. Historical Interest. The presence of special historical interest relating to local, state, or national history.
- B. Special Character. The presence of special character or aesthetic interest or value caused by the development pattern of the area or by natural conditions or vegetative, landscaping, or topographical features of the area.
- C. Historic Architectural Style. The presence of one or more periods or styles of architecture typical of one or more eras in the history of the Village of LaGrange that gives the area a distinct character.
- D. Local Architectural Value. The concentration of indigenous examples of local architecture that have not been significantly altered from their original design and that have a uniform scale and derive special value from the repetition of scale and form.
- E. Distinguished Buildings or Structures. The presence of one or more distinguished buildings or structures of high architectural quality and historic interest.
- F. Transitional Areas. A location in a sensitive transitional area between varied land uses requiring careful control of development, redevelopment, and remodeling, tailored to the special character of the area, to preserve and enhance the transitional function served by existing structures and uses.
- G. Economic Development Areas. An area that has the potential for significant economic development beneficial to the Village or that is adjacent to an area with such potential, and which potential is sensitive to considerations of the character and design of development, redevelopment, or remodeling in the area.

The Design Review District shall be mapped on the Zoning Map only pursuant to Article XIV, Part VI of this Code.

8-304 DEVELOPMENT PLAN REQUIRED

Notwithstanding the provisions of Article XIV, Part VI of this Code, the Design Review District shall be mapped only after preparation by the Board of Trustees of a written and graphic plan for the area proposed to be included in the district addressing the above-listed factors and describing the purposes and intentions of the Board of Trustees in mapping the district. Such a written and graphic plan shall be attached to, incorporated into, and approved as part of any ordinance granting approval of an application to map a Design Review District.

The requirement of this Section shall not apply to the area of the Village commonly known as the Central Business District and previously mapped in the Village's Tax Increment Financing District (the "Downtown Design Review District"). The Downtown Design Review District is being mapped as of the effective date of this Code, for the following purposes:

- A. Economic Development. The district is a principal factor in the Village's economic well-being and has the potential for significant economic development beneficial to the Village.
- B. Transitional Function. The district serves a sensitive and important transitional function between an area of commercial use and development and other noncommercial development.
- C. Structure Integrity. Special care is required to maintain the quality and integrity of existing structures.

- D. Distinguished Buildings. Several buildings in the district have distinctive and valuable features that must be protected from inappropriate alteration and maintenance and inappropriate redevelopment of adjacent buildings.

8-305 DESIGN REVIEW PERMIT REQUIRED

Unless a Design Review Permit shall have first been obtained pursuant to Section 14-403 of this Code, no person shall perform, cause, or permit any construction, alteration, remodeling, removal, movement, or demolition of any building, structure, other improvement on premises, or landscaping that is located within the Design Review District for which a building, grading, or other permit is required (except for sign permits) from the Village and that affects the exterior appearance of the building, structure, or property, and no person shall secure or issue a permit authorizing any such work. No person shall maintain any property located within the Design Review District on which any such work has been performed in the absence of, or in violation of the terms of, a Design Review Permit. Repair of fire, storm, or other catastrophic damage with the same material and configuration as existed prior to the fire does not require a Design Review Permit.