

ARTICLE 5

COMMERCIAL DISTRICTS

5.00 PREAMBLE

The regulations of the commercial districts are intended to control the development of commercial uses needed to provide the people of the Village with goods and services. These uses are regulated based not only upon their impact upon public facilities, but also with their compatibility with other types of uses. In particular, attention has been focused upon protection of the capacity and safety characteristics of the thoroughfare system and preservation of the residential neighborhoods of the Village.

5.01 C-1 VILLAGE CENTER DISTRICT

5.01-A District Description and Policies

1. Description of District

The C-1 Village Center District provides for the establishment and preservation of the vital economic and social core of the community, the Village Center. This district allows a range of compatible retail, financial, service, governmental, professional and residential uses in a setting conducive to and safe for a high volume of pedestrian traffic.

2. Special Policies

- a. Pedestrian-oriented retail and service functions will be encouraged to expand within the Village Center whereas automotive-oriented uses, such as automobile service stations, will not be encouraged to expand.
- b. Expansion of both the range and size of shopping facilities will be promoted and office, governmental, recreational and cultural uses will be encouraged to remain and expand their facilities.
- c. The development of a balanced quantity of residential dwelling units, particularly if part of a planned unit development, and when designed to provide residents with adequate off-street parking, vehicular access and open space, shall be encouraged.
- d. In planning for new development in, or expansion of, the Village Center District, consideration shall be given to improving access to and circulation within the area and providing adequate and convenient off-street parking.

5.01-B Permitted Uses - All Locations (Ord. 0-89-28)

1. The following uses are permitted in all locations in the C-1 Village Center District:
  - a. Antique Shops.
  - b. Art Galleries.
  - c. Art and School Supply Stores.
  - d. Bakeries.
  - e. Bath Supply or Accessory Store.
  - f. Bicycle Stores: sales, rental and repair.
  - g. Book and Stationery Stores.
  - h. Cabinet Sales establishment (not including cutting, assembling, or manufacturing on premises).
  - i. Camera and Photograph Supply Stores.
  - j. Candy and Confectionery Stores.
  - k. Carpet, Rug and Floor Covering Stores, but not including carpet and rug cleaning.
  - l. Catalog Sales (mail order with retail showroom).
  - m. China, Glassware and Metalware Stores.
  - n. Clock Store.
  - o. Closet Furbishing and Accessory Store.
  - p. Coin, Stamp, Precious Metal or similar Shop.
  - q. Computer Equipment and Supplies Store.
  - r. Craft Supply Store.
  - s. Delicatessen.
  - t. Department Stores.
  - u. Drapery, Curtain, and Window Covering Shop.
  - v. Drug Stores and Pharmacies.
  - w. Dry Goods Store.
  - x. Fabric and Yarn Stores.
  - y. Florist Shops and Plant Stores, retail sales only.
  - z. Food Stores, Grocery Stores and Supermarkets (deleted 0-02-44)
  - aa. Furniture Stores, including upholstery and repair when conducted as part of the retail operation and secondary to the principal use.
  - bb. Furriers and Fur Apparel Stores.
  - cc. Garden Supply Shops (indoor only).
  - dd. Gift Shops.
  - ee. Glass and Mirror Shop.
  - ff. Hardware Stores, retail sales only.
  - gg. Hobby Shops.
  - hh. Household Appliance Stores, including repair when conducted as part of the retail operation and secondary to the principal use.

- ii. Ice Cream and Yogurt Stores, but not including those operations which sell a wide variety of other non-ice cream or yogurt menu items.
- jj. Interior Decorating (with retail inventory on display).
- kk. Jewelry Stores.
- ll. Leather Goods and Luggage Stores.
- mm. Liquor Store (deleted 0-97-45)
- nn. Luggage and Suitcase Store.
- oo. Magazine and Newspaper Stores.
- pp. Meat and Fish Stores, retail sale only.
- qq. Medical Appliance and Supply Store.
- rr. Musical Instruments, sales and repair.
- ss. Newspaper and Magazine Store.
- tt. Office Supply Store.
- uu. Optician Sales, retail sales only.
- vv. Paint, Glass and Wall Covering Stores.
- ww. Pet Shops.
- xx. Phonograph Record, Tape and Sheet Music Stores.
- yy. Picture Framing, including self-service, when conducted for on-premises retail trade.
- zz. Pool and Patio Store (indoor only).
- aaa. Radio and Television Sales.
- bbb. Shoe Stores.
- ccc. Sporting Goods and Sportswear Stores.
- ddd. Tobacco Shops (deleted 0-97-45)
- eee. Toy Stores.
- fff. Variety Stores.
- ggg. Video Tape and Disk (Sales only, no rental permitted).
- hhh. Wearing Apparel Stores.

#### 5.01-C Special Uses

##### 1. Special Uses - Class A

Due to their nature, certain uses are not only compatible with the Permitted Uses listed in Article 05.01-B, but also encourage, enhance, and facilitate the establishment and ongoing vitality of the Permitted Uses. These uses are allowed in the C-1, Village Center as Permitted Uses if located above the ground floor level. The following uses may only be located on the ground floor level in the C-1 Village Center District if a Class A Special Use Permit is issued for the use subject to the provisions of Article 13.11 and if in addition to meeting the standards set forth in Article 13.11-D, the applicant for a Class A Special Use can demonstrate that the establishment of the Special Use will not be injurious to the character of the C-1 Village Center District as a retail center for the Village.

- a. Accounting, Auditing and Bookkeeping Offices.
- b. Artists' Studios.
- c. Barber Shops.

- d. Beauty Shops: except those beauty shops and/or cosmetic supply stores which sell products which can only be purchased by a customer possessing a state license. (Ord.0-97-45)
  - e. Blueprinting and Photocopying establishments.
  - f. Business and professional offices.
  - g. Business Machine Repair and Service.
  - h. Dry cleaning and laundry establishments, including self-service, coin-operated equipment; provided that the floor area devoted to any one such establishment (including floor area devoted to accessory uses as well as the principal use) shall not exceed 2,000 square feet.
  - i. Food catering establishments.
  - j. Insurance Agencies.
  - k. Interior Decorating Shops, including upholstery and making of draperies, slip covers and other similar articles, when conducted as part of retail operations and secondary to the principal use.
  - l. Medical and/or Dental Facilities.
  - m. Medical and/or Dental Laboratories.
  - n. Photographic Studios.
  - o. Radio and Television Service and Repair Shops.
  - p. Real Estate Offices.
  - q. Secretarial Services.
  - r. Security and Commodity Brokers.
  - s. Shoe, Clothing and Hat Repair Shops.
  - t. Tailor and Dressmaking Shops, employing not more than five persons.
  - u. Travel Agencies and Transportation Ticket Offices.
  - v. Video Tape Rental Stores.
2. Special Uses - Class B permitted only as a Special Use in all locations in the C-1 Village Center District subject to the provisions of Article 13.11 and if in addition to meeting the standards set forth in Article 13.11-D, the applicant can demonstrate that the establishment of the Special Use will not be injurious to the character of the C-1 Village Center District as a retail center for the Village.
- a. Retail Business Uses.
    - (1) Automobile Accessory and Parts Shops, including servicing and installation of products.
    - (2) Garden Supply Sales, including open sales and storage area; provided, that each such area is located at least one hundred fifty (150) feet from a residential district and is fenced and screened as required below:
      - (a) Fencing.

Fencing shall be provided around all outdoor sales areas. This fencing must be at least seven (7) feet in height.

(b) Screening.

Screening shall be provided as required by the Plan Commission to ensure the enjoyment of surrounding properties and provide for the public safety in accordance with Article 13, Administration and Enforcement-Special Use.

- (3) Restaurants, Sit-Down or Carry-Out. See definition in Article 14.
- (4) Motorcycle and accessories sales and service stores, when conducted entirely within the store itself.
- (5) Tobacco Shops (Ord.0-97-45)
- (6) Liquor Stores and liquor sales areas included as accessory uses in food or drug stores. (Ord.0-97-45)
- (7) Coffee shops, tea shops, bagel shops and similar operations, subject to all zoning regulations applicable to restaurant uses. (Ord.0-97-45)
- (8) Pharmacy with related drive-thru facility providing adequate vehicle stacking space. (Ord.0-98-33)
- (9) Food Stores, Grocery Stores and Supermarkets. (Ord.0-02-44)
- (10) Retail Stores with gross floor area of 10,000 square feet or more. (Ord.0-02-44)

b. Service Uses.

- (1) Automobile Service Stations.
- (2) Banks, Savings and Loan Associations and other Financial Institutions, with or without drive-in facilities.
- (3) Drive-through automatic teller machine operated in connection with a Bank, Savings and Loan or other Financial Institution. (Ord. 0-93-47)
- (4) Drive-thru car wash facility providing adequate vehicle stacking space when part of a C-1 Village Center District PUD of more than five acres in size." (Ord.0-98-33)

(5) Mail and parcel packaging, shipping and receiving, and business service store. (Ord.0-00-25)

c. Residential Uses.

(1) Dwelling Units, provided that where dwelling units are located in a principal building containing business uses, they shall be above the ground floor.

(2) Senior Citizen Housing.

d. Recreation and Social Facilities.

(1) Clubs and Lodges - private and not-for-profit.

(2) Theaters, indoor only, including live entertainment.

(3) A self-improvement facility including physical exercise and sport training schools not including those uses specifically provided for in Article 5.02-C.

e. Public Service and Utility Uses.

(1) Bus passenger shelters.

(2) Essential services - provided that they are properly screened as set forth in Article 2, General Provisions.

(3) Railroad rights-of-way.

(4) Parking Lots and Structures, when not located on the same lot as the principal use to which it is accessory.

(5) Parking Lots and Structures, other than accessory for the storage of private passenger automobiles only.

(6) Public Utility Offices.

f. Educational Institutions.

(1) Business or Professional Schools, but not trade or vocational schools.

(2) Music and Dance Schools.

g. Public and Governmental Land and Buildings.

- (1) Historical Buildings and Landmarks preserved for public inspection and operated not-for-profit.
- (2) Museums, operated not-for-profit.
- (3) Post Offices.
- (4) Public Libraries.
- (5) Governmental buildings and uses, including public parking facilities.
- (6) Public Parks, Plazas and Arcades.

h. Religious institutions.

- (1) Places of Worship.
- (2) Residences for Religious Personnel.

i. Planned Unit Developments.

36) j. Shopping Center/Planned Unit Development (Ord. 0-90-

k. Multiple-Use Developments.

Developments containing two or more Permitted or Special Uses on the same zoning lot in a single structure which existed prior to the adoption of this Ordinance. Such developments shall comply with all applicable provisions of this Ordinance except those provisions pertaining to district bulk requirements.

l. Multiple-Use Developments - Enlargement of Existing Structures.

Developments containing two or more Permitted or Special Uses on the same zoning lot in a single structure which existed prior to the adoption of this Ordinance and which may be subsequently expanded provided that all applicable provisions of the Ordinance are met.

5.01-D Temporary Uses

Temporary Uses and structures may be allowed subject to the issuance of temporary use permits in accordance with the provisions of Article 11, Temporary Uses and Structures. These uses and structures may include the following as well as uses and structures similar to the following:

1. Carnival or Circus.
2. Christmas Tree Sales.
3. Contractors' Office and Equipment Sheds.
4. Home and Garage Sales.
5. Real Estate Sales Office and Model Units.
6. Block Parties and Street Dances.
7. Temporary Outdoor Sales.

#### 5.01-E Accessory Uses

In the C-1 Village Center District, accessory uses and structures as regulated by Article 2, General Provisions, may include the following as well as uses and structures similar to the following:

1. Garages, carports or other parking spaces.
2. Signs, as regulated by Article 9, Signs.
3. Fences, as regulated by Article 2, General Provisions.
4. Tool Sheds and other Similar Storage Buildings.
5. Vending Machines.

#### 5.01-F Bulk Regulations

In the C-1 Village Center District, uses and structures shall conform to the following bulk regulations:

##### 1. Minimum Lot Area

A minimum lot area is not required, except that:

- a. No lot or tract of land existing on or after November 15, 1971 shall be subdivided into smaller lots without first being authorized as a Special Use showing the proposed use of each new parcel and an acceptable method of providing for safe and coordinated traffic flow including provisions for ingress, egress and parking.
- b. There shall be provided not less than two thousand five hundred (2,500) square feet of lot area for each permitted dwelling unit.

##### 2. Minimum Lot Width

A minimum lot width is not required.

##### 3. Minimum Yards

The following minimum yards shall be provided and maintained:



- a. Front Yard - not less than five (5) feet.
- b. Side Yard - a minimum side yard shall not be required except:
  - (1) A corner side yard shall be not less than five feet.
  - (2) A side yard adjoining a residential district shall be no less than twenty-five (25) feet, measured from the district line.
  - (3) Any building or structure containing residential dwelling units shall have a minimum side yard of twelve (12) feet on each side of the lot.
  - (4) Where a side yard is provided even though not required, it shall be at least five (5) feet.
- c. Rear Yard - not less than ten (10) feet, except that a rear yard adjoining a residential district shall be no less than twenty-five (25) feet in depth, measured from the district line.

4. Maximum Lot Coverage

The total ground area occupied by any principal building, together with all accessory buildings, shall not exceed seventy-five (75) percent of the total area of the lot.

5. Maximum Building Height

No building or structure shall be erected or structurally altered to exceed a height of forty-five (45) feet.

5.01-G District Standards

All of the property located in the C-1 Village Center District is subject to the general standards and regulations of this Ordinance.

Property located in this district is also subject to the following standards:

1. Retail or Service Only

All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

2. Operation Within Enclosed Structures

All business, service, storage and display of goods shall be conducted within completely enclosed structures, except:

- a. Off-street Parking and Loading;
  - b. Automobile Service Stations, outdoor sales accessory to garden supply stores, and outdoor tables accessory to restaurants when permitted as a special use;
  - c. Sales or Display of Merchandise sold or offered for sale through vending machines provided such machines do not occupy an aggregate ground area of more than sixteen (16) square feet; and
  - d. Temporary Open Sales or Sidewalk Sales, when authorized pursuant to Article 11, Temporary Uses and Structures.
3. Restriction on Sales and Services Involving Parked Motor Vehicles

No business establishments, except automobile service stations or drive-in bank facilities when authorized as special uses, shall offer goods or services directly to customers waiting in parked motor vehicles, or sell beverages or food for consumption on the premises in parked motor vehicles.

4. Truck Parking

The parking of trucks as an Accessory Use, when used in the conduct of a permitted or special use listed in this section shall be limited to vehicles of not over one and one-half (1-1/2) tons capacity when located within one hundred fifty (150) feet of a residential district.

5. Limit on Warehousing

Warehousing and storage as an Accessory Use shall not exceed forty (40%) percent of the floor area of any building. For the purpose of this provision, basement floor areas shall be included in the computation of the floor area of the building.

6. Landscaping of Required Yards

Required yards of developed lots shall be landscaped and unpaved except for necessary drives, parking areas and walks.

7. Parking Requirements

Off-street parking and loading spaces shall be provided in accordance with Article 8, Off-street Parking and Loading.

8. Signs

Signs shall conform to the applicable requirements as set forth in Article 9, Signs.

9. Fencing and Screening

Fencing and Screening shall be provided and regulated in accordance with Article 2, General Provisions.

5.02 C-2 OUTLYING COMMERCIAL DISTRICT

5.02-A District Description and Policies

1. Description

The C-2 Outlying Commercial District is a specialized district established to permit and regulate commercial uses which are essentially automobile oriented and which are located outside of the Village Center. This District recognizes that significant traffic problems exist along adjoining arterial traffic routes, and that without careful planning and design, such traffic problems may be acutely intensified. The uses in this District will be carefully regulated to control their impact upon public facilities and other types of uses. Expansion of the C-2 Outlying Commercial District will be discouraged except in areas where significant considerations make the area particularly suitable for this type of commercial development.

2. Policies

- a. Planned Developments pursuant to Article 12 will be encouraged.
- b. Strip commercial development is the development of an elongated commercial district which parallels a highway or street and which may include, but is not limited to, one or more of the following characteristics: shallow lot depth with abutting non-commercial uses to the rear, inadequate front yard landscaping, a proliferation of ingress and egress points, inadequate sign control, and inadequate provisions for off-street parking and loading facilities. Creation of a new strip commercial development will be discouraged. Extension of existing strip commercial developments will be permitted only when such development would constitute the sole reasonable use of the property, where adequate buffering is provided and

where traffic flow and capacity will not be adversely affected.

- c. Safety and convenience in the public streets and highways shall be protected by strict regulation of access points and by the requirement of adequate off-street parking and loading spaces.
- d. To preserve and promote the development of the Village in an attractive manner and to assist in stabilizing of land values along zoning district boundaries, open space, fencing and landscaping will be required and signage will be controlled pursuant to the regulations of this Ordinance.

#### 5.02-B Permitted Uses

The following uses are permitted in the C-2 Outlying Commercial District:

- 1. Retail Business Uses (Ord. 0-13-02)
  - a. Antique Shops.
  - b. Apparel and Accessories Stores.
  - c. Art Galleries.
  - d. Art and School Supply Stores.
  - e. Automobile Accessory and Parts Shops, specifically prohibiting servicing and installation of products (Ord. 0-88-50).
  - f. Baby and Children's Products and Apparel Stores.
  - g. Beauty Products, Cosmetics, Perfumes and Soaps Stores.
  - h. Bedding and Mattress Stores.
  - i. Bridal and Formalwear Stores.
  - j. Bakeries.
  - k. Bicycle Stores, Sales, Rental and Repair.
  - l. Book and Stationery Stores.
  - m. Business Equipment Sales and Service.
  - n. Cabinet, Kitchen and Bathroom Furnishings Sales Establishments (not including cutting, assembling, or manufacturing on premises).
  - o. Camera and Photographic Supply Stores.
  - p. Candle and Wax Stores.
  - q. Candy and Confectionery Stores.
  - r. Carpet, Rug, and Floor Covering Stores, but not including carpet and rug cleaning.
  - s. Catalog Sales Stores.
  - t. Cellular Phone and Mobile Device Stores.
  - u. China, Glassware and Metalware Stores.
  - v. Comic Book Stores.

- w. Costume, Clothing and Theater Prop Sales and Rental Stores.
- x. Craft Stores.
- y. Dancing and Gymnastics Supplies and Apparel Stores.
- z. Delicatessens.
- aa. Department Stores.
- bb. Drug Stores and Pharmacies.
- cc. Electronics Stores, including ancillary electronics repair.
- dd. Exercise Equipment Sales.
- ee. Furriers and Fur Apparel Stores.
- ff. Home Decorating and Home Goods Retail Stores.
- gg. Fabric and Yarn Stores.
- hh. Florist Shops and Plant Stores, retail sales only.
- ii. Furniture and Household Appliance Stores.
- jj. Garden Supply Sales or Nursery, including lawn mower sales and repair, indoor only.
- kk. Gift Shops.
- ll. Hardware Stores, retail sales only.
- mm. Hobby Shops.
- nn. Household Appliance Sales.
- oo. Frozen Dessert Stores.
- pp. Jewelry Stores.
- qq. Leather Goods and Luggage Stores.
- rr. Magazine and Newspaper Stores.
- ss. Marine Stores, indoor only.
- tt. Meat and Fish Stores, retail sales only.
- uu. Medical Appliance and Supply Stores.
- vv. Musical Instrument Sales and Repair, Sheet Music and Musical Recordings
- ww. Office Supply Stores.
- xx. Opticians Sales, retail sales only.
- yy. Party Supply Stores.
- zz. Pool and Patio Stores, indoor only.
- aaa. Package Liquor Stores.
- bbb. Paint, Glass, and Wall Covering Stores.
- ccc. Pet Supply Stores.
- ddd. Picture Framing, including self-service when conducted for on-premises retail sale.
- eee. Restaurants, Cafes, Coffee Shops, Tea Shops, Bagel Shops, and Similar Operations of 3,000 square feet in area or less, including the square footage any outdoor seating area, and not including a drive-through.
- fff. Shoe Stores.
- ggg. Specialty Food Retail Stores of 3,000 square feet in area or less.
- hhh. Sporting Goods and Sportswear Stores.
- iii. Tobacco Shops.

- jjj. Toy Stores.
- kkk. Uniform Stores.
- lll. Variety Stores.
- mmm. Vitamin and Supplement Stores.

2. Service Uses, with the limitation that: (i) service uses in excess of 10,000 square feet and up to 20,000 square feet in size are only permitted in ground floor locations by a special use pursuant to Article 5.02-C, and (ii) non-retail service uses in excess of 20,000 square feet are not permitted in ground floor locations; provided, however, that the limitations stated in 2(i) and 2(ii) are not applicable within the areas identified on Appendix III entitled C-2 Non-Retail Overlay. (Ord. 0-13-02)
  - a. Artists' Studios.
  - b. Barber Shops.
  - c. Beauty Shops.
  - d. Dry Cleaning and Laundry Establishments, including self-service, coin-operated equipment, provided that the floor area devoted to any one such establishment (including floor area devoted to accessory uses as well as the principal use) shall not exceed 2,750 square feet. (Ord. 0-01-27)
  - e. Food Catering Establishments.
  - f. Interior Decorating Shops, including upholstery and making of draperies, slip covers and other similar articles, when conducted as part of retail operations and secondary to the principal use.
  - g. Locksmith and Key Making Establishments.
  - h. Photocopy, Print, Sign Making, and Mail Delivery Establishments.
  - i. Photographic Studios.
  - j. Shoe, Clothing and Hat Repair Shops.
  - k. Tailor and Dressmaking shops, employing not more than five persons.
  - l. Tanning Salons
  - m. Travel Agencies and Transportation Ticket Offices.
  
3. Office Uses, with the limitation that: (i) office and medical office uses in excess of 10,000 square feet and up to 20,000 square feet in size are only permitted in ground floor locations by a special use pursuant to Article 5.02-C, and (ii) office and medical office uses in excess of 20,000 square feet in size are not permitted in ground floor locations; provided, however, that the limitations stated in 3(i)

and 3(ii) are not applicable within the areas identified on Appendix III entitled C-2 Non-Retail Overlay. (Ord. 0-13-02)

- a. Accounting, Auditing and Bookkeeping offices.
  - b. Business, Professional and Government offices.
  - c. Employment Agencies.
  - d. Insurance Agencies.
  - e. Medical and Dental Facilities (Ord. 0-85-09).
  - f. Medical and Dental Laboratories.
  - g. Newspaper Offices, provided that there is no print or distribution in connection therewith.
  - h. Real Estate Offices.
  - i. Secretarial Services.
  - j. Security and Commodity Brokers.
4. Recreation and Social Facilities, with the limitation that: (i) recreation and social facilities in excess of 10,000 square feet and up to 20,000 square feet in size are only permitted in ground floor locations by a special use pursuant to Article 5.02-C, and (ii) recreation and social facilities in excess of 20,000 square feet in size are not permitted in ground floor locations; provided, however, that the limitations stated in 4(i) and 4(ii) are not applicable within the areas identified on Appendix III entitled C-2 Non-Retail Overlay. (Ord.0-81-57, Ord. 0-13-02)
- a. Clubs and Lodges, not-for-profit.
  - b. Philanthropic or Charitable organizations.
  - c. Self Improvement Facilities, including physical exercise and sports training schools, but not including those uses specifically provided for in Article 5.02-C.

#### 5.02-C Special Uses

The following special uses are permitted in the C-2 Outlying Commercial District when authorized in accordance with the provisions of Article 13, Administration and Enforcement.

- 1. Retail Business Uses (Ord. 0-13-02)
  - a. Automobile Accessory and Parts Shops, including servicing and installation of products.

- b. Automobile Convenience Food Shop. (Ord.O-88-08)
- c. Automobile Vehicle Sales - new cars only, with accessory servicing and repair facilities on a lot not less than 40,000 square feet in area.
- d. Building Supply Store (including seasonal outdoor sales area and outdoor display of merchandise). (Ord.O-97-50)
- e. Coins, stamps, precious metals, estate jewelry, antique flatware, sports cards, currency and related hobby items. (Ord. O-96-28)
- f. Convenience Stores.
- g. Furniture Stores. (Ord. O-87-58)
  - (1) Furniture stores which include as part of their operation the warehousing of the goods being offered for sale. The warehousing area may be in the same building as the main sales area and showrooms or in a separate building. (See Art.8.02-E,2,n,).
  - (2) Private parties for charities and non-profit organizations when accessory to a retail furniture store of at least 20,000 square feet in area, provided such parties and events are conducted inside the premises. (Ord. O-06-27)
- h. Food Stores, Grocery Stores and Supermarkets. (Ord.O-02-44)
- i. Garden Supply Sales, including open sales and storage areas provided that each such area is located at least one hundred and fifty (150) feet from a residential district and is fenced and screened, as required below:
  - (1) Fencing  
Fencing shall be provided around all outdoor sales areas. This fencing must be at least seven (7) feet in height.
  - (2) Screening  
Screening shall be provided as required by the Plan Commission to ensure the enjoyment of surrounding properties and to provide for the public safety in accordance with Article 13, Administration and Enforcement - Special Use.
- j. Massage Services Establishments.
- k. Restaurants as defined in Article 14 (O-83-13), Cafes, Coffee Shops, Tea Shops, Bagel Shops, and Similar Operations of 3,001 square feet in area or greater, including the square footage any outdoor seating area. Also, drive-through facilities accessory to a restaurant which also has either direct signalized access to an existing right-of-way or (a) an Agreement has been executed which fully provides for the establishment of signalized access for the location



and (b) the Illinois Department of Transportation has authorized said traffic signalization. (O-83-50)

- l. Retail Uses listed in Article 5.02-B,1 with a gross floor area of 10,001 square feet or more when located north of Lake Cook Road.
- m. Retail Uses listed in Article 5.02-B,1 with a gross floor area of 30,001 square feet or more when located south of Lake Cook Road.
- n. Specialty food retail stores of 3,001 square feet in area or greater.
- o. Video Rental Stores. (Ord. O-89-38)
- p. Warehouse Retail Stores, including membership clubs.
- q. A resale store of less than 8,000 square feet in area located in a Shopping Center/Planned Unit Development of more than 200,000 square feet of gross floor area and less than 500,000 square feet of gross floor area. (Ord. O-13-60)
- r. A beauty supply store selling products only to customers with a state license, of less than 2,100 square feet in area located in a Shopping Center/Planned Unit Development of more than 200,000 square feet of gross floor area and less than 500,000 square feet of gross floor area. (Ord. O-13-61)

## 2. Service Uses

- a. Automobile Service Stations on a lot not less than 40,000 square feet in area.
- b. Automobile Laundries or Car Wash Establishments on a lot not less than 60,000 square feet in area, provided that sufficient on-site standing space is provided for cars awaiting entry to the washing operations and sufficient on-site space is provided for cars exiting from the washing operations.
- c. Banks, Savings and Loan Associations and other Financial Institutions, with or without a drive-through facility. (Ord. O-05-50)
- d. Undertaking and Funeral Establishments.
- e. Animal Hospital or Veterinary Services, indoor only.
- f. Drive through facility operated in connection with dry-cleaning and laundry establishments. (Ord. O-92-30)
- g. Pet Grooming Facility (Ord. O-95-02)
- h. Child Care Facility (Ord. O-98-12)
- i. Governmental Road Testing Facility, for vehicle inspections and drivers road tests, provided that only automobile driving road tests shall be conducted. (Ord. O-02-37)
- j. Drive-through automatic teller machine when operated in connection with a bank, savings and loan or other financial institution. (Ord. O-05-29)

- k. Domestic pet services including kenneling, dog day care, overnight boarding and obedience training. An outdoor exercise area may be provided when approved as part of the facility. (Ord. O-07-33)
- l. Grocery parcel pick-up centers including drive-through lanes. (Ord. O-12-34)

3. Recreation and Social Facilities

- a. Bowling Alleys
- b. Health Clubs
- c. Skating Rinks, indoor
- d. Tennis Clubs, courts and building for indoor tennis
- e. Theaters, indoor only
- f. Private Sports Recreational Facility in a building of not less than 45,000 square feet in area, when located in a Commercial Planned Unit Development of more than 500,000 square feet of gross floor area, which includes sports training, sports instructions as a team sports training facility, sports clinics, sessions, lessons, tournaments, basketball, sports related educational sessions, a sports related educational facility, sports related parties, sports themed social events and sports watching events, open use of courts. Events at private sports recreational facilities may include music and dancing provided such events must be sports themed and are conducted inside the premises. Private sports recreational facilities may include educational programming and classroom space not to exceed 10 percent of the premises and such spaces may be used for vocational training, counseling services, tutoring, standardized test training, homework assistance, online coursework, corporate events, adult programming and group activities. Private sports recreational facilities may offer food service limited to incidental sale of cooked, prepared, and ready to eat food served to patrons of the sporting events and activities who are present in the facility. (Ord. O-13-06)

4. Public Service and Utility Uses

- a. Bus Passenger Shelters.
- b. Essential Services, provided that they are properly screened as set forth in Article 2, General Provisions.
- c. Railroad Rights-of-way.

5. Educational Institutions

- a. Business or Professional Schools.

- b. Trade or Vocational Schools.
- c. Music and Dance Studios.

6. Public and Governmental Land and Building

- a. Historical Buildings and Landmarks, preserved for public inspection, and operated not-for-profit.
- b. Museums, operated not for profit.
- c. Government Uses and Buildings.
- d. Public Parks, plazas, and arcades.

7. Health, Medical and Care Institutions

- a. Nursing Homes.
- b. Convalescent Centers.

8. Planned Unit Developments

9. Shopping Center/Planned Unit Development (Ord. O-90-36).

10. Multiple-Use Developments (Ord.O-79-48)

Development containing two or more permitted or Special Uses on the same zoning lot in a single structure which existed prior to the adoption of this Ordinance. Such developments shall comply with all applicable provisions of this Ordinance except those provisions pertaining to district bulk requirements.

11. Multiple-Use Developments - Enlargement of Existing Structures (Ord. O-79-48)

Development containing two or more permitted or Special Uses on the same zoning lot in a single structure which existed prior to the adoption of this Ordinance and which may be subsequently expanded provided that all applicable provisions of the Ordinance are met.

12. Open Sales or Storage Areas, provided that each such area is located at least one hundred and fifty (150) feet from a residential district and is adequately screened as required.

13. Hotels (Ord. O-84-40)

Hotels if included in a Planned Unit Development, provided that any such Planned Unit Development is located both not less than 1,300 feet from a single family district and not closer than 2,640 feet from another hotel.

#### 5.02-D Temporary Uses

Temporary Uses and structures may be allowed subject to the issuance of temporary use permits in accordance with the provisions of Article 11, Temporary Uses and Structures. These uses and structures may include but are not limited to the following:

1. Carnival or Circus
2. Christmas Tree Sales
3. Contractor's Office and Equipment Sheds
4. Home and Garage Sales
5. Real Estate Sales Office and Model Units
6. Block Parties and Street Dances
7. Temporary Outdoor Sales

#### 5.2-E Accessory Uses

In the C-2 Outlying Commercial District, accessory uses and structures as regulated by Article 2, General Provisions, may include the following, as well as uses and structures, similar to the following:

1. Garages, Carports or other Parking Spaces
2. Signs, as regulated by Article 9, Signs
3. Fences, as regulated by Article 2, General Provisions
4. Tool Sheds and similar Storage Buildings
5. Vending Machines
6. Hotels (Ord. O-84-40), when part of a C-2 Commercial Planned Unit Development, the following uses may be permitted as accessory to a hotel use when located within the hotel or its grounds and when operated primarily for the use of the register guests of the hotel:
  - a. Restaurant
  - b. Liquor service areas
  - c. Recreational facilities
  - d. Meeting/conference rooms
  - e. Convenience item shops
  - f. Laundry facilities
  - g. Vending machines

#### 5.02-F Bulk Regulations

In the C-2 Outlying Commercial District, uses and structures shall conform to the following bulk regulations:

1. Minimum Lot Area

A minimum lot area is not required, except as otherwise indicated and except that:

- a. No lot or tract of land existing on or after November 15, 1971 shall be subdivided into smaller lots without first being authorized as a Special Use showing the proposed use of each new parcel and an acceptable method of providing for safe and coordinated traffic flow, including provisions for ingress, egress and parking.

2. Minimum Lot Width

A minimum lot width is not required.

3. Minimum Yards

The following minimum yards shall be provided and maintained:

- a. Front Yard - not less than fifty (50) feet.
- b. Side Yard - a minimum side yard of twelve (12) feet shall be required on each side of a lot except that:
  - (1) A corner side yard shall not be less than fifty (50) feet.
  - (2) A side yard adjoining a residential district shall be no less than fifty (50) feet in depth, measured from the district line.
  - (3) No minimum side yard may be required on one side adjoining a similar use if processed as a Special Use or Planned Unit Development, dependent upon the conditions of approval.
- c. Rear Yard - not less than ten (10) feet except that a rear yard adjoining a residential district shall not be less than fifty (50) feet in depth, measured from the district line.

4. Maximum Lot Coverage

The total ground area occupied by any principal structure together with all accessory structures shall not exceed thirty (30%) percent of the total area of the lot.

5. Maximum Building Height

No building or structure shall be erected or structurally altered to exceed a height of thirty-five (35) feet.

## 5.02-G District Standards

All of the property located in the C-2 Outlying Commercial District is subject to the general standards and regulations of this Ordinance. Property located in this district is also subject to the following standards:

### 1. Review of Permits

In order to ensure the public safety, prior to the issuance of a building permit to establish any permitted use, the specifics for pedestrian and vehicular ingress and egress shall be approved by the Board of Trustees after reviewing the recommendation of the Plan Commission.

### 2. Retail or Service Only

All business establishments shall be retail or service establishments dealing with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

### 3. Limit on Warehousing

Warehousing and storage as an accessory use shall not exceed fifty (50%) percent of the floor area of any building. For the purpose of this provision, basement floor areas shall be included in the computation of the floor area of the building.

### 4. Operation within Enclosed Structures

All business, service, storage and display of goods shall be conducted within completely enclosed structures, except:

- a. Off-street parking and off-street loading;
- b. Automobile Service Stations, outdoor sales accessory to supply stores, and outdoor tables accessory to restaurants when permitted as a Special Use;
- c. Sales or Display of Merchandise sold or offered for sale through vending machines provided such machines do not occupy an aggregate ground area of more than sixteen (16) square feet; and
- d. Temporary Open Sales or Sidewalk Sales, when authorized pursuant to Article 11, Temporary Uses and Structures.

5. Restriction on Sales and Services Involving Parked Motor Vehicles (Ord. 0-82-50 and 0-92-30)

No business establishments, except restaurants with drive-through facilities as permitted in accordance with Article 5.02-C,1,d, automobile service stations, drive-in bank facilities, or dry cleaning and laundry establishments when authorized as Special Uses, shall offer goods or services directly to customers waiting in parked motor vehicles or sell beverages or food for consumption off the premises or on the premises in parked motor vehicles.

6. Truck Parking

The parking of trucks as an Accessory Use when used in the conduct of a permitted or special use listed in this Section, shall be limited to vehicles of not over one and one-half (1-1/2) tons capacity when located within one hundred and fifty (150) feet of a residential district boundary line.

7. Landscaping of Required Yards

Required yards of developed lots shall be landscaped and unpaved except for necessary drives, parking areas and walks.

8. Parking Requirements

Off-street parking and loading spaces shall be provided in accordance with Article 8, Off-street Parking and Loading.

9. Signs

Signs shall conform to the applicable requirements set forth in Article 9, Signs.

10. Fencing and Screening

Fencing and screening shall be provided and regulated as required in Article 2, General Provisions.

5.03 C-3 LIMITED COMMERCIAL OFFICE DISTRICT

5.03-A Description of District (Ord. 0-82-06)

The C-3 Limited Commercial Office District is a specialized district established to permit and carefully regulate a limited variety of commercial uses on lands which are located along certain major streets and which either adjoin or front across from a residential district. This district provides for the development of low traffic generating land uses which are

compatible with surrounding residential properties and which serve as buffers between residential properties and the more intensive commercial or limited industrial districts. This district is characterized by low-intensity uses on well landscaped sites. Retail activities are limited to those which supplement an office use.

Additionally, it is the intent of the Article to permit and encourage the redevelopment of those properties abutting the north right-of-way line of Osterman Avenue lying between Waukegan Road and the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way and those properties fronting on the west side of Hoffman Lane.

#### 5.03-B PERMITTED USES

1. Retail Business Uses, as specifically limited by Article 5.03-G.
  - a. Art Galleries
  - b. Book and Stationery Stores
  - c. Drug Stores and Pharmacies
  - d. Florist Shops
  - e. Newsstand, indoor only
  - f. Office Supply Stores
  - g. Opticians Sales, retail
  
2. Service Uses, as specifically limited by Article 5.03-G.
  - a. Artists' Studios
  - b. Banks, Savings and Loan Associations and other Financial Institutions, but not including drive-in facilities
  - c. Barber Shops
  - d. Beauty Shops
  - e. Blueprinting and Photocopying establishments
  - f. Photographic Studios
  - g. Real Estate Sales Offices
  - h. Travel Agencies and Transportation Ticket Offices
  
3. Office Uses
  - a. Accounting, Auditing and Bookkeeping Offices
  - b. Business, Professional and Government Offices
  - c. Insurance Agencies
  - d. Medical and Dental Facilities (Ord. 0-85-09)
  - e. Medical and Dental Laboratories
  - f. Real Estate Offices
  - g. Secretarial Services
  - h. Security and Commodity Brokers



### 5.03-C Special Uses

The following special uses are permitted in the C-3 Limited Commercial Office District when authorized in accordance with the provisions of Article 13, Administration and Enforcement.

#### 1. Service Uses

- a. Animal Hospitals and Veterinary Clinics, but not including outdoor kennels or runs.
- b. Funeral Homes and Undertaking Establishments.

#### 2. Health, Medical and Care Institutions

- a. Nursing Homes and Convalescent Centers.
- b. Nursery Schools and Child Care Facilities.
- c. Institutions for the Care of the Physically, Mentally or Emotionally Disabled.

#### 3. Recreation and Social Facilities

- a. Health Clubs, indoor only.
- b. Racquet, Handball and Tennis Clubs, indoor only.

#### 4. Educational Institutions

- a. Business and Professional Schools.
- b. Trade or vocational schools.

#### 5. Public Utility and Service Uses

- a. Essential Services.
- b. Bus Passenger shelters.
- c. Public Utility Offices.

#### 6. Planned Unit Developments (Ord. 0-82-06)

- a. Commercial Planned Unit Developments, as regulated in Article 12.
- b. Village Center/Commercial Planned Unit Developments, limited to those properties abutting the north right-of-way line of Osterman Avenue, lying between Waukegan Road and the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way and those properties fronting on the west side of Hoffman Lane, as regulated in Article 12.

### 5.03-D Temporary Uses

Temporary Uses, buildings or other structures may be allowed subject to the issuance of temporary use permits in accordance with the provisions of Article 11, Temporary Uses and

Structures. These uses and structures may include the following as well as uses and structures similar to the following:

1. Carnival or Circus
2. Christmas Tree Sales
3. Contractors' Offices and Equipment Sheds
4. Home and Garage Sales
5. Real Estate Office and Model Units
6. Block Parties and Street Dances
7. Temporary Outdoor Sales

#### 5.03-E Accessory Uses

In the C-3 Limited Commercial Office District, accessory uses and structures as regulated by Article 2, General Provisions, may include the following as well as uses and structures similar to the following:

1. Garages, Carports or other Parking Spaces
2. Signs, as regulated by Article 9, Signs
3. Fences, as regulated by Article 2, General Provisions
4. Tool Sheds and other Similar Storage Buildings
5. Vending Machines, indoors only

#### 5.03-F Bulk Regulations.

In the C-3 Limited Commercial Office District, uses and structures shall conform to the following bulk regulations:

##### 1. Minimum Lot Area

A minimum lot area is not required, except that:

- a. No lot or tract of land existing on or after November 15, 1971 shall be subdivided into smaller lots without first being authorized as a Special Use showing the proposed use of each new parcel and an acceptable method of providing for safe and coordinated traffic flow, including provisions for ingress, egress and parking.
- b. For special uses, minimum lot areas may be required as a condition for authorization.

##### 2. Minimum Lot Width

A minimum lot width is not required.

### 3. Minimum Yards

The following minimum yards shall be provided and maintained:

- a. Front Yard - not less than fifty (50) feet.
- b. Side Yard - a minimum side yard of twelve (12) feet on each side of the lot shall be required except:
  - (1) A corner side yard shall be not less than fifty (50) feet.
  - (2) A side yard adjoining a residential district shall not be less than fifty (50) feet, measured from the district line.
  - (3) No minimum side yard may be required on one side adjoining a similar use if, a use is processed as a Special Use or Planned Unit Development, dependent upon the conditions of approval.
- c. Rear Yard - not less than ten (10) feet except that a rear yard adjoining a residential district shall be not less than fifty (50) feet in depth, measured from the district line.

### 4. Maximum Lot Coverage

The total ground area occupied by any principal building, together with all accessory buildings, shall not exceed twenty-five (25%) percent of the total area of the lot.

### 5. Maximum Building Height

No building or structure shall be erected or structurally altered to exceed a height of thirty-five (35) feet.

### 5.03-G District Standards

All of the property located in the C-3 Limited Commercial Office District is subject to the general standards and regulations of this Ordinance. Property located in this district is also subject to the following standards:

#### 1. Restriction on Location and Floor Area of Retail and Services Uses

All permitted retail and service uses shall be located within an office building and no such use shall

individually occupy more than two thousand (2,000) square feet of floor area.

2. Retail or Service Only

All business establishments shall be retail or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on the premises where produced.

3. Operation Within Enclosed Structure

All business, service, storage and display of goods shall be conducted within completely enclosed structures except for off-street parking and off-street loading.

4. Restriction on Sales and Services Involving Parked Motor Vehicles

No business establishments shall offer goods or services directly to customers waiting in parked motor vehicles, or sell beverages or food for consumption on the premises in parked motor vehicles.

5. Truck Parking

The parking of trucks as an Accessory Use when used in the conduct of a permitted or special use listed in this Section, shall be limited to vehicles of not over one and one-half (1-1/2) tons capacity when located within one hundred fifty (150) feet of a residential district boundary line.

6. Limit on Warehousing

Warehousing and storage as an Accessory Use shall not exceed fifty (50%) percent of the floor area of any building. For the purpose of this provision, basement floor areas shall be included in the computation of the floor area of the building.

7. Landscaping of the Required Yards

Required yards of developed lots shall be landscaped and unpaved except for necessary drives, parking areas and walks.

8. Parking Requirements

Off-street parking and loading spaces shall be provided in accordance with Article 8, Off-street Parking and Loading.

9. Signs

Signs shall conform to the applicable requirements as set forth in Article 9, Signs.

10. Fencing and Screening

Fencing and Screening shall be provided and regulated in accordance with Article 2, General Provisions.