

CHAPTER 6

BUSINESS DISTRICTS

ARTICLE A. B1 RETAIL BUSINESS DISTRICT

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6-6A-1: INTENT AND SCOPE OF REGULATIONS: This District is intended to provide a location suitable to accommodate a combination of retail, service and office uses in an intensive commercial core area. Permitted and special uses can be placed on relatively small zoning lots reflecting the historic development pattern of Half Day and encouraging a pedestrian environment in retail shopping areas.

Areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. This is due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods, traffic safety conditions and the land use character of key intersections. Therefore, all petitions for zoning, either permitted or special uses proposed within this District shall be subject to site plan review and approval as specified in Section 6-14-7 of this Code.

6-6A-2: GENERAL REQUIREMENTS:

The Enforcing Officer shall issue a "cease and desist order" in those cases he finds to be in violation of the following restrictions. (Amd. Ord. 95-1406-36, eff. 10/9/95)

A. Outdoor Business and Storage

_____ All business, service, storage, merchandise display and repair processing, where allowed, shall be conducted only within a completely enclosed building except for off-street automobile parking, off-street loading, open sales lots, automobile service stations, and drive-thru facilities where such uses are allowed.

B. Production of Goods

The production of any goods on the premises shall be clearly incidental to the principal retail or service use and all such goods shall be sold at retail, primarily on the premises, unless otherwise specifically provided herein.

C. Performance Criteria

Processes and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste.

D. Allowances and Restrictions on Ground Floor Uses

1. Buildings constructed prior to January 1, 1995 shall be allowed to have unlimited ground floor area utilized for office, clinic, government and non-sales tax-generating uses.
2. Buildings constructed after January 1, 1995 shall be subject to the restrictions below. For the purpose of calculating the following percentages, "permitted uses" specifically listed in this Article shall be included in the gross sq. ft. of ground floor area, but not in the office, clinic, government and non-sales tax-generating uses sq. ft.
 - a. Floor Area: No more than 25% of the gross sq. ft. of ground floor area may be utilized for office, clinic, government and non-sales tax generating uses, and
 - b. Uses: The percentage of office, clinic, government, and non-sales tax generating uses to total uses on the ground floor in a building shall not exceed 25%.
 - c. Special Uses: Requests in excess of the above percentages for ground floor area or quantity in a building may be granted to an individual owner or operator as a Special Use in accordance with the provisions of this Title, and shall not be transferable. (Amend. Ord. 95-1406-36)

6-6A-3: PERMITTED USES: No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses: (Amd. Ord. 95-1406-36, eff.10/9/95)

Antique shops.

Art galleries, shops and art supply stores.

Banks and financial institutions (but not drive-thru facilities).

Bakeries.

Barber shops.

Beauty shops.

Bicycle sales and repair.

Book stores and stationery shops.

Camera and photographic supply stores.

Candy stores, ice cream, frozen yogurt and confectionery stores.

China, glassware and household goods stores.

Clock stores.

Clothing and clothing/costume rental stores.

Coin and philatelic stores.

Craft supplies.

Dairy products (retail sales only).

Drapery, curtain, and window covering shops.

Drug stores.

Dry-cleaning and pressing establishments (retail only).

Fabric and yarn shops.

Florist shops.

Food stores.

Furrier Shops.

Gift and novelty shops.

Hardware stores.

Hobby shops (not including video game parlors).

Kitchen, Bath and Cabinet Showrooms

Interior decorating shops.

Jewelry stores.

Leather goods and luggage stores.

Locksmith shops.

Musical instrument sales and repair shops.

Newspaper and magazine stands.

Office, business and professional

(See General Requirements for Allowances and Restrictions on Ground Floor Uses)

Office machine, computer, service and supply stores.

Opticians and optometrists (retail sales and service only).

Paint, glass and wallpaper stores.
Photograph studios.
Picture framing, when conducted for retail sales on the premises only.
Record, compact disc, cassette tape and sheet music stores.
Sewing machine sales and service stores.
Shoe sales and shoe repair stores.
Specialty shops.
Sporting goods.
Tailor and dressmaking shops.
Ticket agencies.
Tobacco shops.
Toy stores.
Travel bureaus and agencies.
Variety stores.
Video rental stores.
(Amend. Ord. 95-1406-36)(Amd. Ord. 03-1875-52, eff. 10/13/03)

6-6A-4: SPECIAL USES: The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 6-14-14 of this Code, as appropriate: (Amd. Ord. 95-1406-36, eff.10/9/95)

Bowling alley establishment.
Catering establishment.
Clinics, medical and dental.

(See General Requirements for Allowances and Restrictions on Ground Floor Uses)

Community centers, museums, cultural facilities.
Convenience food stores which sell prepared food for consumption on or off the premises.
Dance Studio (Ord. 08-3053-36, eff. 8/25/08)
Day care centers and nursery schools.
Day Spa (Ord. 09-3103-26, eff. 06/22/09)
Delicatessen.
Farmers Market (Amd Ord. 97-1538-62, eff. 11/10/97)
Fast food restaurants without a drive-thru facility when located within a shopping center, with a minimum gross leasable area of twenty thousand (20,000) square feet; and containing at least five (5) retail establishments.
Financial Institutions with drive-through facilities (Amd. Ord. 08-3022-05, eff. 1/28/08)
Fire Stations owned and operated by a unit of local government, as defined in Section 1 of Article VII of the Constitution of Illinois, 1970.
Government office buildings, community centers, libraries.

(See General Requirements for Allowances and Restrictions on Ground Floor Uses)

Liquor sales (package goods only).

Office, business and professional

(See General Requirements for Allowances and Restrictions on Ground Floor Uses)

Open sales lots for the sale of Christmas trees during the months of November and December or farm produce if such use has been issued a permit for temporary use.

Parking lots and structures where such uses are the principal use on the zoning lots.

Pet shops.

Planned unit developments.

Printing, publishing, blueprinting and photocopying establishments with retail sales only.

Radio and television stations but excluding transmission towers.

Repair or servicing of any article, the sale of which is from a permitted use in this District.

Restaurants

Schools.

Shopping centers.

Theaters.

Vehicle Fueling Station (Amend Ord. 97-1494-18 eff. 6/9/97)

(Amend. Ord. 95-1406-36)

6-6A-5: LOT SIZE REQUIREMENTS: The minimum lot sizes required in the B1 District shall be as follows:

| | <u>Minimum Lot Area</u> | <u>Minimum Lot Width</u> |
|---|-----------------------------|------------------------------|
| <u>Permitted Uses:</u> | 15,000 sq. ft. | 100 ft. |
| <u>Special Uses:</u> | | |
| Automobile service stations | 15,000 sq. ft. | 100 ft. |
| Farmers Market | 45,000 sq. ft. | 200 ft. |
| Financial institutions with drive-thru | 40,000 sq. ft. | 150 ft. |
| Funeral parlors | 30,000 sq. ft. | 200 ft. |
| Planned unit developments | 10,000 sq. ft. | 100 ft. |
| | <u>Minimum Lot Area</u> | <u>Minimum Lot Width</u> |
| <u>Special Uses:</u> | | |
| Shopping centers | 60,000 sq. ft. | 250 ft. |
| Theaters | 20,000 sq. ft. | 150 ft. |
| All others | 7,500 sq. ft. | 100 ft. |

Unless otherwise required by the Zoning Board

6-6A-6: YARD REQUIREMENTS: The minimum yard requirements in the B1 District shall be as follows:

- A. Front and corner side yards shall be a minimum of twelve feet (12'); shall contain no parking and be fully landscaped with provisions for pedestrian access all across the zoning lot.
- B. Rear yards; fifteen feet (15').
- C. Side yards; eight feet (8').
- D. Transitional yards which abut any residential district or an E or O/I District shall be required to conform with the yard requirements of any such abutting district. Screening by fences or landscaping of at least seventy five percent (75%) opacity shall be provided within such yards.
- E. Where a front, corner side or rear yard is located across an existing or proposed right of way from any residential district or an E or O/I District, such yard requirement shall be not less than twenty five feet (25'). In front and corner side yards so located, said yards shall not contain parking or other obstructions except driveways and sidewalks and shall be fully landscaped.

In rear yards so located, fencing or landscaping of at least seventy five percent (75%) opacity shall be required.

6-6A-7: BUILDING HEIGHT LIMITATIONS: In the B1 District no building shall exceed two and one-half (2-1/2) stories or thirty feet (30') in height including rooftop equipment.

6-6A-8: SIGNS: Signs shall be subject to the regulations contained in Title 12 of this Code.

6-6A-9: OFF-STREET PARKING AND LOADING REQUIREMENTS: Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title. (Ord. 86-885-22)