

12-7-3: COMMERCIAL DISTRICTS REGULATIONS:

A. General Purpose Statement: The commercial districts set forth herein, when taken together, are intended to permit a broad range of commercial development necessary to serve the citizens of Des Plaines and neighboring areas.

B. Permitted Uses Generally: The uses specified as permitted in table 3, "Commercial Districts Use Matrix", of this section, shall be considered permitted as of right in the commercial districts, subject to any limitations therein or in this chapter, and the securing of a zoning certificate. The uses shall also be required to comply with all other applicable requirements of this title and the city code.

C. Conditional Uses Generally: The uses specified as conditional uses in table 3, "Commercial Districts Use Matrix", of this section, may be allowed in the commercial districts, subject to any limitations therein or in this chapter, and the securing of a conditional use permit pursuant to section 12-3-4, "Conditional Uses", of this title. The uses shall also be required to comply with all other applicable requirements of this title and the city code.

D. C-1 Neighborhood Shopping District:

1. Purpose: The purpose of the C-1 neighborhood shopping district is to accommodate convenience businesses in locations close to residential neighborhoods. No individual use in the C-1 neighborhood shopping district shall exceed seven thousand five hundred (7,500) square feet in floor area.

2. Permitted Uses: The uses permitted in the C-1 commercial district are set forth in table 3, "Commercial Districts Use Matrix", of this section.

3. Conditional Uses: The uses allowed as conditional uses in the C-1 commercial district, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section.

4. Bulk Regulations: The bulk regulations that apply to the C-1 neighborhood shopping district are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

5. Standards For Site Plan Review:

a. Front Yards: No required front yard shall be used for the permanent sale or display of merchandise. The temporary seasonal sale or display of merchandise shall not encroach into areas of required parking unless permitted by the zoning administrator pursuant to section 12-8-11, "Temporary Uses", of this title.

b. Lights: If the premises abuts a residential district, lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon such abutting residential district.

c. Fencing: If the premises abuts a residential district or use, a solid opaque view screen fence, eight feet (8') in height, shall be provided upon the premises along each property line abutting such residential district or use.

d. Pedestrian Access: Each premises shall provide a logical, safe, and convenient system of pedestrian access to and from the site which is separate and distinct from any parking area or roadway.

E. C-2 Limited Office Commercial District:

1. Purpose: The purpose of the C-2 limited office commercial district is to preserve existing office development and provide locations for the development of new office locations.

2. Permitted Uses: The uses permitted in the C-2 limited office commercial district are set forth in table 3, "Commercial Districts Use Matrix", of this section.

3. Conditional Uses: The uses allowed as conditional uses in the C-2 limited office commercial district, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section.

4. Bulk Regulations: The bulk regulations that apply to the C-2 limited office commercial district are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

5. Standards For Site Plan Review:

a. Parking And Loading In Rear Yard Only: Off street parking and loading spaces may be located in the rear yards in the C-2 limited office commercial district. No off street parking or loading spaces shall be allowed in any required front yards in said district.

b. Lights: If the premises abuts a residential district, lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon such abutting residential district.

c. Fencing: If the premises abuts a residential district or use, a solid opaque view screen fence, eight feet (8') in height, shall be provided upon the premises along each property line abutting such residential district or use.

d. Mass Transit: Each premises shall provide for a logical, safe, and convenient system of pedestrian access to and from existing or planned mass transit facilities.

e. Special Height And Setback Overlay: In the C-2 limited office commercial district, a special height overlay is in effect for Touhy Avenue from Greco Avenue to Scott Avenue in which the maximum height shall be thirty five feet (35'). In addition, a special setback overlay is also in effect for Touhy Avenue from Greco Avenue to Scott Avenue, requiring front yard setbacks to be sixty five feet (65'), rear yard setbacks to be fifty feet (50'), interior side yard setbacks to be fifteen feet (15') or five percent (5%) of the lot width whichever is greater, and corner lot side yard setbacks to be sixty five feet (65').

F. C-3 General Commercial District:

1. Purpose: The purpose of the C-3 general commercial district is to accommodate a variety of businesses in locations to serve

the community of Des Plaines.

2. Permitted Uses: The uses permitted in the C-3 general commercial district are set forth in table 3, "Commercial Districts Use Matrix", of this section.

a. Residential Dwellings: There shall be allowed one dwelling on the second floor of buildings in the C-3 general commercial zoning district located from Oakton Street at the Minneapolis/St. Paul/Sault Ste. Marie Railroad tracks, east to the city limits. In addition, further conditions are set forth as follows:

(1) Only new or existing buildings located in a C-3 general commercial district, and within one hundred feet (100') of an arterial street, as defined by the comprehensive plan, are permitted to have an apartment, and provided it is above the first floor.

(2) One unit per lot is permitted.

(3) Adding an apartment to an existing single-family residence located in C-3 general commercial district is not permitted.

(4) Each premises containing a residential unit shall provide a logical, safe, convenient system of pedestrian access to and from the site, which is separate and distinct from any parking area.

3. Conditional Uses: The uses allowed as conditional uses in the C-3 general commercial district, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section.

4. Bulk Regulations: The bulk regulations that apply to the C-3 general commercial district are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

5. Standards For Site Plan Review:

a. Front Yards: No front yard shall be used for the permanent sale or display of merchandise. The temporary seasonal sale or display of merchandise shall not encroach into areas of required parking unless permitted by the zoning administrator pursuant to section 12-8-11, "Temporary Uses", of this title.

b. Lights: If the premises abuts a residential district, lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon such abutting residential district.

c. Fencing: If the premises abuts a residential district or use, a solid opaque view screen fence, eight feet (8') in height, shall be provided upon the premises along each property line abutting such residential district or use.

d. Outdoor display and storage of products: For properties utilized by a trade contractor use with an active business license and pursuant to a conditional use permit, finished or prefabricated products related to such use may be stored or displayed outdoors, subject to the following conditions and restrictions:

(1) Products may not be stored or displayed outdoors within any required yard.

(2) Products must be fully screened with an eight-foot tall, solid, opaque fence.

(3) For the purposes of this Section 12-7-3.F, "finished or prefabricated products" means products ready for sale to an end user. Raw or landscape materials, or materials utilized for the manufacturing, processing or assembly of products, are not permitted to be stored or displayed outdoors.

(4) Products, either cumulatively or individually, and including the racks or structures used to display the products outdoors, may not exceed eight feet in height.

(5) Products stored or displayed outdoors must be located on a paved, dust-free hard surface; provided, however, products and associated storage racks may not reduce, block, or otherwise interfere with parking lot drive aisles and off- street parking spaces.

G. C-4 Regional Shopping District:

1. Purpose: The purpose of the C-4 regional shopping district is to accommodate shopping centers in a location to serve the general public. The district is designed to permit, as of right, uses commonly associated and concentrated within a commercial shopping center. The district is also designed to accommodate outlot development through the conditional use permit process.

2. Permitted Uses: The uses permitted in the C-4 regional shopping district are set forth in table 3, "Commercial Districts Use Matrix", of this section.

3. Conditional Uses: The uses allowed as conditional uses in the C-4 Regional Shopping District, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section. In addition, outlot development on commercial shopping center sites shall require a conditional use permit.

4. Bulk Regulations: The bulk regulations that apply to the C-4 Regional Shopping District are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

5. Standards For Site Plan Review:

a. Front Yards: No front yard shall be used for the permanent sale or display of merchandise. The temporary seasonal sale or display of merchandise shall not encroach into areas of required parking unless permitted by the Zoning Administrator pursuant to section 12-8-11, "Temporary Uses", of this title.

b. Lights: If the premises abut a residential district, lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon such abutting residential district.

H. C-5 Central Business District:

1. Purpose: The purpose of the C-5 Central Business District is to protect downtown Des Plaines by permitting only those uses appropriate to its character, and regulating bulk standards accordingly.

2. Permitted Uses: The uses permitted in the C-5 Central Business District are set forth in table 3, "Commercial Districts Use Matrix", of this section.

3. Conditional Uses: The uses allowed as conditional uses in the C-5 Central Business District, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section.

4. Bulk Regulations: The bulk regulations that apply to the C-5 Central Business District are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

5. Standards For Site Plan Review:

a. Front Yards: No front yard shall be used for the permanent sale or display of merchandise. The temporary seasonal sale or display of merchandise shall not encroach into areas of required parking unless permitted by the Zoning Administrator pursuant to section 12-8-11, "Temporary Uses", of this title.

b. Parking And Loading In Rear Yard Only: Off street parking and loading spaces may be located in the rear yards in the C-5 District. No off street parking or loading spaces shall be allowed in any required front yard of the district.

c. Pedestrian Access: Each premises shall provide a logical, safe, and convenient system of pedestrian access to and from the site which is separate and distinct from any parking area or roadway.

d. Landscaping: Landscaping shall be provided in accordance with chapter 10, "Landscaping And Screening", of this title, and shall be designed and established to blend into and complement the existing streetscape.

e. Multiple-Family Dwelling Units: Multiple-family dwelling units shall be permitted in the C-5 Central Business District only upon the following conditions:

(1) Dwelling units shall not be permitted below the second floor above ground level of any building.

(2) The minimum floor area per dwelling unit in the C-5 Central Business District shall be determined by the number of bedrooms in the dwelling unit and shall be in accordance with the following table:

Number Of Bedrooms	Minimum Floor Area (Square Feet)
Efficiency dwelling unit	535
1 bedroom unit	620
2 bedroom unit	780

6. Supplemental Parking Requirements: The following parking requirements shall supersede the requirements of chapter 9 of this title for the uses listed below. In recognition of Central Business District density patterns, the first two thousand five hundred (2,500) square feet of a use within the C-5 Central Business District shall be exempt from off street parking requirements.

Uses	Parking Requirements
Uses	Parking Requirements
Medical and dental clinics and laboratories	1 space per 300 square feet of floor area
Efficiency and one-bedroom dwelling units	1 space per dwelling unit
One-bedroom plus den and two-bedroom dwelling units	1.5 spaces per dwelling unit
Dwelling units with three or more bedrooms	2.25 spaces per dwelling unit
Offices	1 space per 500 square feet of floor area
Retail goods and services establishments	1 space per 300 square feet of floor area
Specialty food stores	1 space per 300 square feet of floor area
Taverns and lounges	1 space per 100 square feet of floor area

I. C-6 Casino District:

1. Purpose: The purpose of the C-6 Casino District is to encourage the orderly development of a licensed casino and certain related uses in accordance with an approved plan of development.

2. Permitted Uses: The uses permitted in the C-6 Casino District are by development plan, requiring City Council approval, and shall include the following:

Casino

Class A restaurants, taverns and lounges

Hotels

Offices that are used solely for casino purposes

Specialty food stores

3. Conditional Uses: The uses allowed as conditional uses in the C-6 Casino District, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section.

4. Standards For Development:

a. Sign Plan: C-6 Casino District developments may establish a localized alternative sign plan under section 12-11-8 of this title subject to review and approval by the City Council, which plan will be in effect and not subject to revocation so long as a casino is operating in the C-6 Casino District.

b. Bulk Regulations: The bulk regulations that apply to the C-6 Casino District are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

c. Parking: Parking for casino use shall be required at one space per gaming position. Accessory parking structures may exceed the height of the gaming facility. Parking requirements for other uses shall be calculated per chapter 9 of this title.

J. C-7 High Density Campus District:

1. Purpose: The purpose of the C-7 High Density Campus District is to allow for the development of large, dense, and vertically oriented complexes that incorporate both commercial and residential uses. Intended to be located proximate to arterial roads and State tollways, properties zoned in this district are appropriate as destination sites for high traffic office uses (e.g., corporate campuses) and public entertainment. All properties located in the C-7 High Density Campus District must be developed in accordance with the City's planned unit development procedures to ensure cohesive and integrated site plans, architecture, and public improvements.

2. Permitted Uses: The uses permitted in the C-7 High Density Campus District are set forth in table 3, "Commercial Districts Use Matrix", of this section. Provided, however, that all properties zoned in this district must be developed as planned unit developments in accordance with section 12-3-5 of this title and will be required to obtain a conditional use permit to operate as such.

3. Conditional Uses: The uses allowed as conditional uses in the C-7 High Density Campus District, pursuant to section 12-3-4, "Conditional Uses", of this title, are set forth in table 3, "Commercial Districts Use Matrix", of this section.

4. Transitional Uses: In the event that a previously developed zoning lot is reclassified into the C-7 High Density Campus District but is not immediately substantially reconstructed or redeveloped, the zoning lot shall continue to be governed by the use standards, bulk regulations, and other requirements of its prior zoning district classification. Upon the construction of a new principal structure on the zoning lot, all regulations of the C-7 High Density Campus District shall apply to the zoning lot.

5. Bulk Regulations: The bulk regulations that apply to the C-7 High Density Campus District are listed within table 4, "Commercial Districts Bulk Matrix", of this section.

6. Standards For Development:

a. Eligible Parcels: No parcel or parcels of property may be classified in the C-7 High Density Campus District unless: 1) they consist of a contiguous area of more than ten (10) acres (including private rights-of-way and stormwater retention areas), and 2) more than one-half ($\frac{1}{2}$) of the tract area is located within two thousand feet (2,000') of a tollway operated by and under the jurisdiction of the Illinois toll highway authority. The ordinance classifying a tract into the C-7 High Density Campus District must include a legal description of the tract and findings that the tract satisfies the eligibility standards in this subsection J6.

b. Supplemental Parking Requirements: The following parking requirements shall supersede the requirements of chapter 9 of this title. Parking and loading requirements shall be determined as part of final plat review for the planned unit development on a case by case basis analyzing the parking demand for each proposed use. The overall requirements for parking may be satisfied by shared parking located on multiple lots provided that maximum usage times will not overlap. The following evaluation criteria shall apply:

(1) Section 12-9-7, "Off Street Parking Requirements", of this title.

(2) In no case shall the required parking be less than seventy five percent (75%) of the base parking requirement of the uses conducted on a single zoning lot as required collectively, or the base parking requirement of the most parking intensive use on the zoning lot, whichever is greater.

c. Block Size: The length and width of a block located in the C-7 High Density Campus District will not be subject to the restrictions set forth in subsection 13-2-5P of the City Code.

d. Access: All vehicular access to any planned unit development in the C-7 High Density Campus District must be provided from a public street with a right-of-way no less than sixty six feet (66') in width or two (2) dedicated lanes of traffic in each direction. The perimeter of such planned unit development shall be enclosed by fence, except at designated access points.

e. Frontage: Each zoning lot in the C-7 High Density Campus District must have frontage either on an arterial street or on a private circulation drive that connects to an arterial street. If frontage is provided on a private circulation drive, then easements and protective covenants assuring such circulation shall be included on the final plat of subdivision for the planned unit development. This subsection shall supersede subsection 13-2-5V of the City Code.

- f. **Street Standards:** The standards for right-of-way widths in subsection 13-2-5L of the City Code may be reduced by administrative approval of the development plan, but not below twenty five feet (25').
- g. **Minimum Zoning Lot:** Zoning lots in the C-7 High Density Campus District shall not be less than one acre in size. Planned unit developments in the C-7 High Density Campus District may be comprised of multiple zoning lots, which may in turn be comprised of single or multiple lots of record (or portions thereof), provided that all property within a planned unit development in the C-7 High Density Campus District be under single ownership and/or unified control.
- h. **Open Space:** No less than twenty percent (20%) of the ground area of a planned unit development in the C-7 High Density Campus District must be maintained as open space for landscaped berms, buffer areas, recreational facilities or stormwater retention facilities. Walkways, pedestrian areas, and bicycle paths may be counted as open space, even if covered with impervious surfaces.
- i. **Number Of Buildings; Mixed Uses:** Multiple principal buildings may be allowed on a zoning lot, except that there shall not be less than fifteen feet (15') between principal buildings, unless buildings are connected by pedestrian bridges, parking decks or ground level concourses. A building with multiple-family dwelling units may be located on the same zoning lot as a building devoted primarily to office uses in the C-7 High Density Campus District, and such buildings may be connected by pedestrian bridges, parking decks or ground level concourses.
- j. **Campus Design Elements:** Planned unit developments in the C-7 High Density Campus District will incorporate the following elements:
- (1) Landscaped areas will exhibit continuity with prior stages of development and satisfy the goals of the C-7 High Density Campus District.
 - (2) Exposed storage areas, trash and garbage retainers, exposed machinery installation, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures will be accounted for in the design of the project, and will be screened from view and made as unobtrusive as reasonably possible.
 - (3) Internal traffic control design will minimize traffic backups and other hazards on adjacent public streets for motorists entering and exiting the development.
 - (4) The orientation of any buildings, including parking garages and decks, will minimize the adverse impacts on any adjacent residential areas from lighting, noise, deliveries, loading and unloading and general activity levels.
 - (5) The exterior elevations of buildings will demonstrate an architecturally harmonious development with other, existing buildings throughout the entire development.
 - (6) If the planned unit development consists of more than a single zoning lot or several subdivided lots under multiple ownerships, the recorded easements and protective covenants ensure the continued maintenance of the properties and of the various amenities, landscaping, improvements and design features of the site.
- k. **Signage:** Signage in the C-7 High Density Campus District shall comply with the restrictions of chapter 11 of this title unless a localized alternative sign plan is approved pursuant to section 12-11-8 of this title.

K. Commercial Use Matrix:

TABLE 3

COMMERCIAL DISTRICTS USE MATRIX

P = Permitted use

C = Conditional use permit required

Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Uses	C-1	C-2	C-3	C-4	C-5	C-6	C-7
Accessory uses and structures	P	P	P	P	P	P	
Accessory off site parking lots			C				
Adult Day Service Center	C	C ⁶	C	C	C ¹⁰		
Alternative tobacco establishments			C ¹⁸	C ¹⁸			
Animal clinic	C		P	C	C		
Animal hospital			P				
Artisanal retail establishments			P ¹⁴	P ¹⁴	P ¹⁴		
Assisted living facility			C		C ³		
Auto body repair			C				
Auto filling station			P ⁴	P ⁴			
Auto service repair			C				

Bed and breakfast	C						
Body art establishments			C ²³				
Brewpub		P ⁶	P	P	P	P	P ⁶
Cannabis dispensaries			P ¹⁹	P ¹⁹	C ¹⁹		
Car wash			C	C ⁵			
Casino						P	
Childcare center	C	C ⁶	C	C	C ¹⁰		P ⁶
Childcare center with accessory dwelling unit	C ⁸						
Colleges and universities		C			C		
Commercial art gallery			P	P	P		
Commercial indoor recreation		P	P	P	P		
Commercial outdoor recreation		C	C				
Commercial parking garage			C ⁹		P		
Commercial parking lot			C		C		
Commercial shopping center			P	P			
Commercially zoned assembly uses			C		C		
Congregate housing			C	C	C ³		
Consumer lender			C				
Convenience mart fueling or charging station			P ⁴	P ⁴			
Convenience retail store	P	P ²¹	P	P	P		
Domestic pet service			C ^{11,12}	C			
Drive-through facility (located adjacent to residential use)		C ¹³	C ²	C ²	C ^{2,10}		
Drive-through facility (not located adjacent to residential use)		C ¹³	P ²	C ²	C ^{2,10}		
Dry cleaners with plants on premises			P	P	P ⁷		
Dwellings, multiple-family					P ³		P
Dwellings, single-family detached		C ²²	C ²²				
Financial institutions		C	P	P	P		P
Food processing establishment			P ¹⁴	C ²⁶			
Funeral homes	C	C	P		P ¹⁰		
Government facility		P			P		
Grocery retail			P	P	P		
Hotels		C	P	C	P	P	P
Leasing/rental agents, small equipment			C	C			
Leasing/rental agents, vehicles (non-moving)			P		P		
Leasing/rental agents, moving vehicles			P ²⁴				
Libraries, private	C	P	P	P	P		
Libraries, public	P		P	P	P		
Livery service							P ¹⁶
Massage establishments			C	C	C		

Media broadcast stations			P		P		
Media print establishments		P	P		P		
Motor vehicle sales			C ⁵	P			
Offices	C	P	P	P ¹⁷	P		P
Parks	P		P	P	P		
Pharmacies/drugstores	P		P	P	P		
Planned developments	C	C	C	C	C	C	C
Planned developments, mixed use			C				
Post Office		C	P	P	P		
Public transportation centers			P		P		
Public utilities		P	P	P	P		
Radio transmitting towers, public broadcasting		C	C	C			
Residential care homes, small	C						
Restaurants:							
Class A		P ⁶	P	P	P	P	P ⁶
Class B		P ²¹	P	P	P		P ⁶
Retail goods establishments	P	P ²¹	P	P	P	C	P ⁶
Retail service establishments	P	C	P	P	P	C	P ⁶
Schools, commercial		P	C		C		P
Schools, private - elementary and high school					C ¹⁵		
Specialty food stores	P	P	P	P	P	P	P
Studios, artist, dance and music	P	P	P	P	P		P
Taverns and lounges	C	C ⁶	P	P	P	P	
Trade contractors			C				
Transitional treatment facility					C		
Wholesale goods establishments			C	C			

Notes:

1. Reserved.
2. When an accessory use only.
3. When above the first floor only.
4. On sites of 15,000 square feet or more. Uses established after August 21, 2023 are classified as permitted. Conditional use permits granted before August 21, 2023 remain in full force and effect and are enforceable. All convenience mart fueling or charging stations are subject to the Specific Use Standards established in Chapter 8 of this Title.
5. On sites of 25,000 square feet or more. For proposed sites of less than 25,000 square feet but more than 22,000 square feet, the City Council may consider additional factors, including, but not limited to, traffic, economic and other conditions of the area, or proposed business and site plan issues in considering whether to grant a conditional use for a used car business of less than 25,000 square feet but more than 22,000 square feet.
6. When incorporated within, or accessory to, an office/hotel use.
7. Where the dry cleaning establishment has a floor area greater than 1,500 square feet.
8. Where the dwelling unit is located on the same lot of record as, and subordinate to, the childcare center and the childcare center proprietor resides in the dwelling unit.
9. When located south of Touhy Avenue.
10. Except on Miner Street, Ellinwood Street or Lee Street.
11. Outdoor kennels are not allowed.
12. Outdoor runs are allowed.
13. When an accessory use to a financial institution.
14. When the total space/use is up to 2,500 square feet. Any total space/use that is over 2,500 square feet must obtain a conditional use permit.

15. For properties with frontage on the 700 and 800 blocks of Lee Street only. Any elementary or high school operating pursuant to a conditional use may also operate kindergarten and pre-kindergarten programs accessory to the school.

16. When the total number of livery service vehicles associated with the subject business does not exceed 45 vehicles.

17. Each office use in the C-4 Regional Shopping District, except for medical clinics and laboratories, shall be limited to 5,000 square feet of area and shall not be contiguous to another office use.

18. Any alternative tobacco establishment use established after October 15, 2018 shall be a minimum of 1 mile from any other alternative tobacco establishment and shall also be a minimum of 1 mile distance from any public or private middle school or high school. Note, hookah lounges do not fall under this land use category as hookah lounges and any other establishment where tobacco or other oils are inhaled on-site are expressly prohibited.

19. No cannabis business establishment shall be located within 500 feet from any pre-existing pre-school, primary school, secondary school, childcare center on a commercial zoning lot, or place of worship. All minimum distance requirements shall be measured from zoning lot line to zoning lot line.

20. When office uses are directly related to casino operation purposes only.

21. When the total space/use is up to 2,500 square feet and is accessory to an office building/hotel.

22. Only single-family detached dwellings that were lawfully constructed prior to August 17, 2020 and are located in a zoning district other than R-1 may, but are not required to, apply for a conditional use in order to bring the use of the legally nonconforming property into conformance with the Zoning Ordinance.

23. Body art establishments shall be located at least one mile away from any other body art establishment. A body art establishment must not exceed 2,000 square feet of floor area.

24. When a secondary principal use to a lawfully established principal use, the following applies: no more than five moving vehicles may be parked or displayed at one time; and moving vehicles must be parked in a permanently striped off-street parking space in compliance with all regulations of this title and shall not be permitted where the off-street parking facility does not provide enough spaces to satisfy the sum of the minimum requirements for all uses on the zoning lot.

25.

26. With on-site consumption, public facing retail, or carryout service available. Only one commercial vehicle associated with the use per 1,000 sq. ft. may be parked onsite overnight, or a larger quantity as otherwise authorized by the conditional use ordinance.

L. Commercial Bulk Matrix:

TABLE 4

COMMERCIAL DISTRICTS BULK MATRIX

Bulk Controls		C-1²	C-2⁴	C-3	C-4³	C-5	C-6³	C-7⁵
Bulk Controls		C-1²	C-2⁴	C-3	C-4³	C-5	C-6³	C-7⁵
Maximum height		35 ft.	45 ft.	45 ft.	45 ft.	100 ft.	160 ft.	165 ft.
Minimum front yard ¹ :								
	Adjacent residential	Setback of adjacent residential district	Setback of adjacent residential district	Setback of adjacent residential district	150 ft.	5 ft.	Setback of adjacent residential district	50 ft.
	Adjacent other	5 ft.	5 ft.	5 ft.	150 ft.	n/a	5 ft.	25 ft.
Minimum side yard:								
	Adjacent residential	Setback of adjacent residential district	Setback of adjacent residential district	Setback of adjacent residential district	25 ft.	Setback of adjacent residential district	Setback of adjacent residential district	50 ft.
	Adjacent other	5 ft. if abutting street or alley	5 ft. if abutting street or alley	5 ft. if abutting street or alley	25 ft.	5 ft. if abutting street or alley	5 ft. if abutting street or alley	25 ft.
Minimum rear yard:								
	Adjacent residential	25 ft. or 20% of lot depth, whichever is less	25 ft. or 20% of lot depth, whichever is less	25 ft. or 20% of lot depth, whichever is less	25 ft.	25 ft. or 20% of lot depth, whichever is less	25 ft. or 20% of lot depth, whichever is less	50 ft.
	Adjacent other	5 ft.	5 ft.	5 ft.	25 ft.	n/a	n/a	25 ft.

Notes:

1. With respect to front yard setbacks, "adjacent residential" shall mean when at least 80 percent of the opposing block frontage is residential.

2. In the C-1 Neighborhood Shopping District, where the extension of a front or side lot line coincides with front lot line of an adjacent lot in the residential district, a yard equal in depth to the minimum front yard required by this title on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least 50 feet which may include the width of any intervening alley, from such lot in the residential district.

3. In the C-4 Regional Shopping District, and in the C-6 Casino District, more than 1 structure may be allowed per lot, thus, setbacks shall be maintained for each lot, and not to individual structures. Outlots part of a commercial shopping center shall maintain a setback of 25 feet for all yards.

4. In the C-2 Limited Office Commercial District, a special height overlay is in effect for Touhy Avenue from Greco Avenue to Scott Avenue in which the maximum height shall be 35 feet. In addition, a special setback overlay is also in effect for Touhy Avenue from Greco Avenue to Scott Avenue, requiring front yard setbacks to be 65 feet, rear yard setbacks to be 50 feet, interior side yard setbacks to be 15 feet or 5 percent of the lot width whichever is greater, and corner lot side yard setbacks to be 65 feet.

5. In the C-7 High Density Campus District, the maximum total height of a building located within 150 feet of a residential property line may not exceed 125 feet.

(Ord. Z-3-02, 3-4-2002; amd. Ord. Z-10-08, 5-5-2008; Ord. Z-11-15, 5-18-2015; Ord. Z-14-15, 7-6-2015; Ord. Z-6-16, 4-4-2016; Ord. Z-9-16, 6-6-2016; Ord. Z-4-18, 3-19-2018; Ord. Z-10-18, 5-21-2018; Ord. Z-17-18, 6-18-2018; Ord. Z-28-18, 9-4-2018; Ord. Z-31-18, 10-15-2018; Ord. Z-31-19, 12-2-2019; Ord. Z-32-19, 12-2-2019; Ord. Z-4-20, 1-21-2020; Ord. Z-9-20, 3-16-2020; Ord. Z-15-20, 6-1-2020; Ord. Z-16-20, 8-3-2020; Ord. Z-19-20, 9-8-2020; Ord. Z-22-20, 9-21-2020; Ord. Z-28-21, 2-1-2021; Ord. Z-42-21, 8-16-2021; Ord. Z-6-22, 4-4-2022; Ord. Z-19-22, 7-18-2022; Ord. Z-25-22, 9-19-2022; Ord. Z-17-23, 8-21-2023; Z-20-23, 8-21-2023; Ord. Z-11-24, 6-17-2024; Ord. Z-21-24, 9-16-2024; Ord. Z-22-24, 10-7-2024)