

## CHAPTER 6

### BUSINESS DISTRICTS

#### ARTICLE A. B1 RETAIL BUSINESS DISTRICT

##### SECTION:

- 6-6A-1: Intent and Scope of Regulations**
- 6-6A-2: General Requirements**
- 6-6A-3: Permitted Uses**
- 6-6A-4: Special Uses**
- 6-6A-5: Lot Size Requirements**
- 6-6A-6: Yard Requirements**
- 6-6A-7: Building Height Limitations**
- 6-6A-8: Signs**
- 6-6A-9: Off-Street Parking and Loading Requirements**

**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)

## CHAPTER 6

### BUSINESS DISTRICTS

#### ARTICLE A. B2 GENERAL BUSINESS DISTRICT

##### SECTION:

- 6-6B-1: Intent and Scope of Regulations**
- 6-6B-2: General Requirements**
- 6-6B-3: Permitted Uses**
- 6-6B-4: Special Uses**
- 6-6B-5: Lot Size Requirements**
- 6-6B-6: Yard Requirements**
- 6-6B-7: Building Height Limitations**
- 6-6B-8: Signs**
- 6-6B-9: Off-Street Parking and Loading Requirements**

**6-6B-1: INTENT AND SCOPE OF REGULATIONS:** The intent of the B2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Often times such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

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.

**6-6B-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)

**6-6B-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)

Any permitted use in the B1 Retail Business District.

Artists Studios.

Carpet, rug and tile stores.

Catering establishments.

Clubs and lodges (nonprofit), fraternal or religious institutions.

Convalescent, sheltered care facilities and group or nursing homes.

Day care centers and nursery schools.

Department stores.

Financial institutions and services, with or without drive-thru facilities.

Furniture stores.

Garden landscape or patio stores.

Home appliance stores.

Kitchen or bath showrooms (including cabinets).

Office, business, professional and corporate headquarters.

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

Orthopedic and medical appliance stores (retail sales only).

Parks, playgrounds and forest preserves.

Printing, publishing, blueprinting and photocopying establishments (retail sales only).

Restaurants.

Retail shopping centers of not less than fifty thousand (50,000)

square feet of gross leasable area and which may include all uses permitted in the B1 District. (Amend Ord. 95-1406-36)

**6-6B-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:

Any special use in the B1 Retail Business District.

Automotive repair establishments.

Colleges, universities, or vocational schools (where all instruction and training is carried out in fully enclosed buildings or structures).

Community centers, museums, philanthropic and other cultural institutions.

Farmers Market.

Funeral parlors.

Health and athletic club facilities.

Hospitals and medical treatment facilities.

Hotels.  
 Meeting halls.  
 Motor vehicle sales establishments intended primarily for the sale and service of new vehicles.  
 Postal facilities.  
 Public and private utility facilities.  
 Schools.  
 Vehicle Service Station (Amend Ord. 97-1494-18 eff. 6/9/97)  
 (Ord. 90-1139-23)

**6-6B-5: LOT SIZE REQUIREMENTS:** The minimum lot sizes required in the B2 District shall be as follows:

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
<u>Permitted Uses:</u>	30,000 sq. ft.	200 ft.
<u>Special Uses:</u>		
Automobile service stations	30,000 sq. ft.	100 ft.
Financial institutions with drive-thru facilities	60,000 sq. ft.	300 ft.
Farmers Market	45,000 sq. ft.	200 ft.
Fast food restaurants w/out drive-thru facilities	45,000 sq. ft.	250 ft.
Fast food restaurants with drive-thru facilities	60,000 sq. ft.	250 ft.
Funeral parlors	30,000 sq. ft.	200 ft.
Planned unit developments	3 acres	300 ft.
Motor vehicle sales	30,000 sq. ft.	300 ft.

	<u>Minimum Lot Area</u>	<u>Minimum Lot Width</u>
Hospitals	3 acres	300 ft.
Medical, dental clinics	20,000 sq. ft.	200 ft.

All other special uses shall conform to the square footage requirements for permitted uses in the 82 District unless otherwise required by the Zoning Board.

**6-6B-6: YARD REQUIREMENTS:** The minimum yard requirements in the B2 District shall be as follows:

	<u>Front and Corner Side</u>	<u>Interior Side</u>	<u>Rear</u>
<u>Permitted Uses:</u>	50 ft.	20 ft.	25 ft.
<u>Special Uses:</u>	By Zoning Board		

In rear yards which abut or are located across an existing or proposed right of way from any residential district or an E or O/I District, fencing or landscaping of at least seventy five percent (75%) opacity shall be required in all seasons.

**6-6B-7: BUILDING HEIGHT LIMITATIONS:** In the B2 District no building shall exceed three and one-half (3-1/2) stories or forty two feet (42') in height including rooftop equipment.

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

**6-6B-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)

## CHAPTER 6

### BUSINESS DISTRICTS

#### ARTICLE C. E SMALL SCALE OFFICE DISTRICTS

##### SECTION:

- 6-6C- 1: Intent and Scope of Regulations**
- 6-6C- 2: Permitted Uses**
- 6-6C- 3: Special Uses**
- 6-6C- 4: Lot Size Requirements**
- 6-6C- 5: Yard Restrictions**
- 6-6C- 6: Building Height**
- 6-6C- 7: Floor Area Ratio**
- 6-6C- 8: Impervious Surface Coverage**
- 6-6C- 9: Signs**
- 6-6C-10: Off-Street Parking and Loading Requirements**

**6-6C-1: INTENT AND SCOPE OF REGULATIONS:** The E Districts are intended to provide low density office uses in areas that are dominated by or may influence single-family residential areas of Lincolnshire. These districts are designed to attract the user who desires spacious surrounding characterized by lands endowed with unique natural features or residential settings as opposed to more intensely developed business center.

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 developments proposed within these districts shall be subject to site plan review and approval as specified in Section 6-14-7 of this Code.

**6-6C-2: 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:

Financial institutions (but not including drive-thru facilities).  
Museums, libraries or performing art centers.  
Office, professional and business.  
Parks and forest preserves.

**6-6C-3: 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.

Animal Clinic/Hospital  
Auxiliary retail.  
Churches and Synagogues.  
Financial institutions with drive-thru facilities.  
Medical or dental clinics (but not including facilities devoted primarily to emergency medical services).  
Private or public schools.  
Private recreational clubs.  
Restaurants.

**6-6C-4: LOT SIZE REQUIREMENTS:** The minimum lot sizes required in the Ea and Eb Districts are as follows:

A. Minimum Lot Area:

1. Ea District:

Permitted and Special Uses: The minimum lot area shall be forty thousand (40,000) sq. ft. plus an additional ten thousand (10,000) sq. ft. for each one half (1/2) story the building exceeds one and one-half (1-1/2) stories in building height.

2. Eb District:

Permitted Uses: The minimum lot area shall be thirty thousand (30,000) sq.ft.

Special Uses: The minimum lot area shall be as follows:

Medical or dental clinics	30,000 sq. ft.
Churches and Synagogues	2 acres
Private or public schools	30,000 sq. ft.
Table service restaurants	30,000 sq. ft.
Planned unit developments	60,000 sq. ft.
Financial institutions with drive-thru facilities	60,000 sq. ft.
Private recreational club	40,000 sq. ft.
Auxiliary retail	40,000 sq. ft.
Animal Clinic/Hospital	30,000 sq. ft.

B. Minimum Lot Width:

1. Permitted Uses:

- a. Ea District: The minimum lot width shall be one hundred fifty feet (150') plus an additional twenty five feet (25') for each one story in building height above one and one-half (1-1/2) stories.
- b. Eb District: The minimum lot width shall be one hundred twenty-five feet (125').

2. <u>Special Uses</u>	<u>Ea District</u>	<u>Eb District</u>
Medical or dental clinics 150 ft.	150 ft.	
Churches and Synagogues	150 ft.	150 ft.
Private recreation clubs	200 ft.	150 ft.

<u>Special Uses</u>	<u>Ea District</u>	<u>EbDistrict</u>
Private or public schools	150 ft.	150 ft.
Table service restaurants 200 ft.	300 ft.	
Auxiliary retail	150 ft.	150 ft.
Planned unit developments	200 ft.	150 ft.
Financial institution with drive-thru facilities	200 ft.	150 ft.
Animal Clinic/Hospital	130 ft.	130 ft.

**6-6C-5: YARD RESTRICTIONS:** The minimum yard restrictions shall be as follows:

A. Front Yard and Corner Side Yard:

1. Ea District: The minimum front yard setback shall be fifty feet (50') plus one foot (1') of added setback for any one foot (1') of building height in excess of eighteen feet (18').
2. Eb District: The minimum front yard setback shall be thirty five feet (35').

B. Interior Side Yard:

1. Ea District: The minimum interior side yard shall be twenty five feet (25') plus one foot (1') of added setback for every one foot (1') of building height in excess of eighteen feet (18').
2. Eb District: The minimum interior side yard shall be twenty feet (20').

C. Rear Yard:

1. Ea District: The minimum rear yard setback shall be thirty feet (30') plus two feet (2') of added setback for every one foot (1') of building height in excess of eighteen feet (18').

2. Eb District: The minimum rear yard setback shall be thirty feet (30').

**6-6C-6: BUILDING HEIGHT:** The maximum building height for the Ea and Eb Districts shall be as follows:

A. Ea District: The maximum building height shall be three and one-half (3-1/2) stories or forty two feet (42') including rooftop equipment but except church steeples.

B. Eb District: The maximum building height shall be two and one-half (2-1/2) stories or thirty feet (30') including rooftop equipment but except church steeples.

**6-6C-7: FLOOR AREA RATIO:** The maximum floor area ratio (FAR) shall be as follows:

A. Ea District: The maximum floor area ratio (FAR) shall be 0.25 except that the FAR may be increased by 0.0045 for each foot in height the building exceeds eighteen feet (18') in height up to a total height of thirty feet (30'); and by 0.0025 for each foot the building then exceeds thirty feet (30') up to the maximum allowable building height of forty two feet (42').

B. Eb District: The maximum allowable floor area ratio (FAR) shall be 0.36.

**6-6C-8: IMPERVIOUS SURFACE COVERAGE:** The maximum impervious surface coverage on any individual zoning lot in an E District shall be as follows:

Ea District: 45 percent

Eb District: 55 percent

All other areas on any zoning lot in an E District shall be landscaped and maintained as open space.

**6-6C-9: SIGNS:** Signs shall be subject to the regulations contained in Title 12 of this Code.

**6-6C-10: 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)