Section VIII. - Business districts.

(A) General requirements; all business districts.

(1) All business, service, storage, merchandise, display, and where permitted, repair and processing, shall be conducted wholly within an enclosed building, except for off-street automobile parking, off-street loading, and open sales lots in districts where they are permitted.

(2) Unless otherwise permitted herein for specified uses, goods sold shall consist primarily of new merchandise, and any goods produced on the premises shall be sold at retail, primarily on the premises.

(3) Dwelling units shall not be permitted in any business district except in accordance with the special use provisions relating to said business districts.

(B) B-1 business district.

(1) General conditions.

(a) Reserved.

(b) Uses designated hereinafter with an asterisk shall not be located on the street level within 50 feet of a street.

(2) Permitted use.

(a) Antique shops.

(b) Art and school supply stores.

(c) Art galleries and museums, but not including auction rooms.

(d) Bakeries where not more than 50 percent of the floor area is devoted to processing.

(e) Reserved.

(f) Barbershops.

(g) Beauty parlors.

(h) Bicycle stores: sales, rental and repair.

(i) Book and stationery stores.

(j) Camera and photographic supply stores.

(k) Candy and ice cream stores, except drive-in candy and ice cream stores.

(l) Carpet and rug stores.

(m) China and glassware stores.

(n) Clothes pressing establishments.

(o) Clubs and lodges: private, fraternal or religious.

(p) Coin and philatelic stores.

(q) Custom dressmaking.

(r) Reserved.

(s) Department stores.

(t) Drugstores.

(u) Dry cleaning establishments, retail only, dry cleaning equipment not to exceed 50 pounds per single piece of equipment for use of employees and 25 pounds per single piece of self-service, coin-operated equipment.

(v) Dry cleaning and laundry receiving establishments, processing to be done elsewhere.

(w) Dry goods stores.

(x) Electrical and household appliance stores, including radio and television sales.

(y) Flower shops and conservatories.

(z) Foodstores, grocery stores, meat markets, and delicatessens.

(aa) Frozen food shops, including locker rental in conjunction therewith.

(bb) Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use.

(cc) Furrier shops, including the incidental storage and conditioning of furs.

(dd) Garden supply and seed stores.

(ee) Gift shops.

(ff) Haberdashery stores.

(gg) Hardware stores.

(hh) Hobby shops, for retailing of items to be assembled or used away from premises.

(ii) Interior decorating shops, including upholstery and making of draperies, slipcovers and other similar articles when conducted as part of the retail operations and secondary to the principal use.

(jj) Jewelry stores, including watch repairs.

(kk) Leather goods and luggage stores.

(ll) Liquor stores, retail sales.

(mm) Laundries, automatic self-service type, machines not to exceed 50 pounds where handled by employees and machines not to exceed 20 pounds for self-service washers and 40 pounds for dryers; these limits refer to individual pieces of equipment.

(nn) Loan offices.

(oo) Locksmith shops.

(pp) Mail order service stores.

(qq) Reserved.

(rr) Reserved.

(ss) Millinery shops.

(tt) Musical instrument sales and repair.

(uu) Newspaper offices, but not including printing.

(vv) Business and professional offices.

(ww) Office supply stores.

(xx) Reserved.

(yy) Paint and wallpaper stores.

(zz) Photography studios, including developing and printing of photographs when conducted on the premises as part of the retail business.

(aaa) Reserved.

(bbb) Picture framing, when conducted on the premises for retail trade.

(ccc) Reserved.

(ddd) Radio and television broadcasting studios.

(eee) Reserved.

(fff) Restricted production and repair limited to the following: art needlework, clothing and alterations for retail only of jewelry from precious metals and watches.

(ggg) Reserved.

(hhh) Sewing machine sales and service, household machines only.

(iii) Shoe stores.

(jjj) Shoe and hat repair stores.

(kkk) Reserved.

(lll) Sporting goods stores.

(mmm) Tailor shops.

(nnn) Reserved.

(ooo) Telegraph offices.

(ppp) Temporary buildings for construction purposes, for a period not to exceed the duration of such construction.

(qqq) Toy shops.

(rrr) Travel bureaus and transportation ticket offices.

(sss) Variety stores.

(ttt) Wearing apparel shops.

(uuu) Wholesale establishments with storage of merchandise limited to samples only.

(vvv) Equipment rental stores i.e., including, but not limited to, tools, machinery, campers, etc., provided that all rental operations and storage are contained within an enclosed building.

(www) Clothing and costume rental shops.

(xxx) Reserved.

(yyy) Reserved.

(zzz) Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles.

(aaaa) Plumbing showrooms, excluding warehousing.

(bbbb) Typewriter and adding machine sales and establishments.

(cccc) Reserved.

(dddd) Pet shops, but all restrictions outlined in 8 ILCS and 61 ILCS, as amended, shall obtain.

(eeee) Accessory uses to the above-permitted uses.

(ffff) Telephone exchanges and transmission equipment buildings. Electronic transmission towers less than 36 feet in height above the curb height and parabolic dishes less than two meters in diameter.

(gggg) Automobile accessory, racing and sports car equipment stores.

(3) Special uses.

(a) Automobile laundries.

(b) Art galleries.

(c) Reserved.

(d) Automobile service stations and repair shops, but not including body repair nor painting.

(e) Building material sales, not including outside storage.

(f) Churches.

(g) Child care centers and day nurseries.

(h) Convents, monasteries, theological schools, rectories and parish houses.

(i) Developments containing either a permitted or special uses listed in the B1 retail business district of this subsection (B), section VIII, occupying a parcel of land two acres or more in area.

(j) Electric and telephone substations.

(k) Greenhouses.

(l) Physical culture and health services, reducing salons, masseurs and public baths.

(m) Motor vehicle and motor vehicle equipment of any kind, sales or service.

(n) Newspaper publishing companies.

(o) Parking lots and storage garages for motor vehicles under 1½ ton capacity.

(p) Planned unit developments on a tract of land not less than one acre in area.

(q) Gun shops: Repair of firearms and related retail accessories, and gun safety training. No handguns shall be sold or traded in the B District.

(r) Public utility and public service uses including:

(1) Electric distribution centers and substations.

(2) Reserved.

(3) Railroad rights-of-way.

(4) Reserved.

(5) Transit and transportation facilities, including shelters, terminals, parking areas and service buildings.

(6) Reserved.

(7) Other similar uses.

(s) Reserved.

(t) Private recreation buildings or clubs, arenas, auditoriums and community centers and other places for public events.

(u) Schools, commercial or trade, including those teaching dance, music, commercial, trade, business or technical subjects when not thereby involving increased danger of fire and explosion; nor of noise, vibration, smoke, dust, odor, glare, heat and other objectionable influences.

(v) Undertaking establishments and funeral parlors.

(w) Dwelling units, where the use of a dwelling unit is necessary or incidental to the operation of the primary business use.

(x) Pool halls.

(y) Equipment rental stores if storage and sales occur from an open lot and an enclosed building. The term "equipment" includes, but is not limited to, automobiles, campers, trucks, tools and machinery.

(z) Full service restaurants and food carryout stores. Full service restaurants and food carryout stores found in shopping centers with a gross leasable area of 80,000 sq. ft. or more shall not require a special use permit.

(aa) Pet grooming shops where no pets are kept overnight and where no medical treatment is given.

(bb) Banks and financial institutions, including drive-in facilities and branch offices.

(cc) Bingo parlors or establishments, except where bingo is an accessory use as defined in section IV(H)(1) of this zoning ordinance.

(dd) Telephone exchanges and transmission equipment buildings. Electronic transmission towers in excess of 36 feet in height above the curb height and parabolic dishes in excess of two meters in diameter.

(ee) Coin operated devices.

(ff) Precious metal dealers.

(gg) Video cassettes or discs, rental or sales.

(hh) Businesses whose primary activity is the sale of tobacco products.

(ii) Tanning salons not to include massages.

(jj) Monopole antennas used in the business of wireless telecommunications, not more than 150 feet in height.

(kk) Currency exchange, payday loan centers, money transmitter services, consumer installment lenders and vehicle title loan businesses.

(ll) Cyber centers.

(mm) Taverns and cocktail lounges.

(nn) Medical and dental clinics, including laboratories.

(oo) Optician and optometrist offices, including laboratories.

(pp) Meeting halls.

(qq) Employment agencies.

(rr) Ground mounted utility installations.

(ss) Secondhand stores and rummage shops.

(tt) Drive-through facility.

(uu) Catering establishments.

Exception: Buildings designed and constructed as a Use Group B as defined under the building code are granted as a permitted use.

(4) Floor area and ratio. Not to exceed 1.8.

(5) Yards.

(a) Side yards. No buildings, structures, which are used for commercial uses shall be located within 20 feet of any lot line of a lot located in an adjacent residence district. In all other instances where side yard is provided, it shall not be less than five feet wide.

(b) Rear yard. There shall be provided a rear yard of not less than 20 feet in depth.

(c) Landscaping and screening plan. A landscaping and screening plan shall be provided when commercial uses are proposed which will adjoin or abut residential zoning districts. Such plan shall be prepared by a professional landscape architect and shall include scale drawings both in plan view and cross section which adequately depict the proposed landscaping and screening treatment. Such plan shall be submitted to the Plan Commission only when rezoning is required. Otherwise, such plan shall be submitted to the building commissioner who shall review it and recommend changes and modifications as deemed appropriate. The landscaping and screening plan, together with the Plan Commission's recommendations, shall be forwarded to the village president and Board of Trustees who shall approve, with modifications, or disapprove the proposed landscaping and screening plan. No building permits for commercial uses shall be issued until such landscaping and screening plan shall be approved by the village and filed with the Village Building Department.

(6) Reserved.

(7) Off-street loading. Loading berths in accordance with provisions set forth in section X of this ordinance.

(8) Off-street parking. Parking spaces in accordance with provisions set forth in section X of this ordinance.

(9) Building height. Not to exceed 36 feet measured from ground level. The Zoning Board of Appeals is authorized to permit buildings to exceed 36 feet, as a special use in accordance with the provisions of section XI(H) of this Zoning Code.

(C) B2 service business district.

(1) General conditions. Reserved.

(2) Permitted uses.

(a) Uses permitted in the B1 district, except uses designated therein with an asterisk, may be located on the street level nearer than 50 feet of a street.

(b) Reserved.

(c) Auction rooms.

(d) Reserved.

(e) Reserved.

(f) Blueprint and photocopying establishments.

(g) Building material sales, not including outside storage.

(h) Cartage and express facilities providing storage of goods, motor trucks, and other equipment are in an enclosed structure.

(i) Caskets and casket supplies.

(j) Reserved.

(k) Clothing and costume rental shops.

(l) Reserved.

(m) Reserved.

(n) Exterminating shops.

(o) Feedstores.

(p) Reserved.

(q) Frozen food lockers.

(r) Ice sales.

(s) Greenhouses.

[(t) Reserved.]

(u) Hotels, provided that business uses other than those which are commonly incidental to a hotel business shall not occupy street frontage, but may, if of a nature permitted in these districts, occupy space fronting on a hotel hall or lobby.

(v) Job printing shop, with presses having not more than 14-inch by 20-inch beds.

(w) Reserved.

(x) Reserved.

(y) Machinery sales.

(z) Mail order houses.

(aa) Monument sales.

(bb) Motels.

(cc) Reserved.

(dd) Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles.

(ee) Reserved.

(ff) Pet shops.

(gg) Plumbing showrooms and shops.

(hh) Reserved.

(ii) Radio and television service and repair shops.

(jj) Reserved.

(kk) Reserved.

(ll) Reserved.

(mm) Reserved.

(nn) Signs, as regulated in this subsection.

(oo) Taxidermists.

(pp) Telephone exchanges and transmission equipment buildings. Electronic transmission towers less than 36 feet in height above the curb height and parabolic dishes less than two meters in diameter.

(qq) Reserved.

(rr) Typewriter and adding machine sales and service establishments.

(ss) Accessory uses to the above permitted uses.

(3) Special uses.

(a) Special uses allowed in the B1 district, except such as are permitted uses in the B2 district.

(b) Animal hospitals.

(c) Automobile laundries.

(d) Planned unit developments on a tract of land not less than one acre in area, including congregate housing/continuing care facilities.

(e) Dog kennels.

(f) Establishments engaged in limited production, processing, or research activities, provided that not more than 25 employees are employed on the premises at any time, and operations shall be limited to those which are not objectionable by reason of odor, dust, smoke, fire and explosion hazards, noise, vibration, noxious matter and/or water-carried waste.

(g) Garages, public, including body repair or painting.

(h) Other service business uses.

(i) Open sales lots, including used car lots.

(j) Outdoor amusement establishments: fairgrounds, permanent carnivals, kiddie parks, and other similar amusement centers, and places of assembly, such as stadiums and arenas.

(k) Developments containing either a permitted or special uses listed in the B2 service business district of this subsection (C), section VIII, occupying a parcel of land two acres or more in area.

(l) Cosmetic tattooing.

(m) Undertaking establishments and funeral parlors.

(n) Dwelling units, where the use of a dwelling unit is necessary or incidental to the operation of the primary business use.

(o) Drive-in restaurants.

(p) Senior citizens housing.

(q) Nursing homes.

(r) Fuel sales, retail only.

(s) Lumberyards.

(t) Drive-in banks.

(u) Theaters, not including drive-in theaters.

(v) Homes for the developmentally disabled as defined by section 22-346 of the Niles Code of Ordinances.

(w) Off-track betting parlors, as authorized by the laws of the State of Illinois.

(x) Reserved.

(y) Homes for the aged.

(z) Hospital satellite facilities.

(aa) Adult care centers.

(bb) Monopole antennas used in the business of wireless telecommunications, not more than 150 feet in height.

(cc) Private amusement establishments: bowling alleys, dance halls, gymnasiums, swimming pools, and skating rinks.

(dd) Contractors' and construction offices.

(ee) Laboratories: medical, dental, research, and testing.

(ff) Automobile parking lots and automobile storage garages.

(gg) Recording studios.

(hh) Towers for wind turbines.

(ii) Ground mounted utility installations.

Exception: Buildings designed and constructed as a Use Group B as defined under the building code are granted as a permitted use.

(4) Floor area ratio. Not to exceed 2.0.

(5) Yards. As in a B1 district.

(6) Reserved.

(7) Off-street loading. Loading berths in accordance with provisions set forth in section X of this ordinance.

(8) Off-street parking. Parking spaces in accordance with provisions set forth in section X of this ordinance.

(9) Building height. As in a B1 district.

(D) Subleases. Retail space greater than 10,000 square feet in B-1 and B-2 zoning districts, located within Tax Increment Financing (TIF) Districts, shall not be subleased or re-subdivided into smaller retail space without Village Board approval.

(Ord. of 1-10-61, § VIII; Ord. No. 1962-6, § 1(B)—(I), 3-13-62; Ord. No. 1963-23, § 1(A), (B), 6-23-64; Ord. No. 1966-44, § 1, 11-8-66; Ord. No. 1967-4, § 1, 2-28-67; Ord. No. 1968-20, § 1, 5-14-68; Ord. No. 1968-35, § 1, 8-27-68; Ord. No. 1969-18, § 1, 6-10-69; Ord. No. 1971-1, §§ 2—5, 1-12-71; Ord. No. 1971-16, §§ 1, 2, 2-23-71; Ord. No. 1971-18, § 3, 3-9-71; Ord. No. 1971-53, § 1, 9-28-71; Ord. No. 1971-61, § 1, 11-23-71; Ord. No. 1972-8, §§ 4—6, 3-14-72; Ord. No. 1973-17, §§ 1, 2, 3-27-73; Ord. No. 1973-18, §§ 1, 2, 2-27-73; Ord. No. 1973-35, §§ 1, 2, 6-26-73; Ord. No. 1973-50, §§ 1, 2, 9-11-73; Ord. No. 1973-57, § 1, 10-9-73; Ord. No. 1974-16, §§ 1, 2, 3-12-74; Ord. No. 1975-26, §§ 1, 2, 7-22-75; Ord. No. 1976-52, § 1, 8-24-76; Ord. No. 1977-27, § 2, 6-24-75; Ord. No. 1980-13, § 2, 3-11-80; Ord. No. 1980-40, §§ 1, 2, 10-14-80; Ord. No. 1983-20, § 3, 7-26-83; Ord. No. 1986-7, § 1, 2-25-86; Ord. No. 1986-20, § 1, 5-27-86; Ord. No. 1987-24, § 1, 6-23-87; Ord. No. 1988-2, § 1, 1-26-88; Ord. No. 1990-44, §§ 1, 2, 10-23-90; Ord. No. 1992-50, § 2, 9-22-92; Ord. No. 1994-18, § 1, 4-22-94; Ord. No. 1994-39, § 1, 7-26-94; Ord. No. 1994-40, § 1, 7-26-94; Ord. No. 1994-54, § 1, 9-27-94; Ord. No. 1991-1, § 2, 1-23-96; Ord. No. 1996-29, § 2, 5-28-96; Ord. No. 1996-42, §§ 4—6, 9-24-96; Ord. No. 1999-52, § 1, 11-23-99; Ord. No. 2000-18, § 1, 4-25-00; Ord. No. 00-38, §§ 1, 2, 6-27-00; Ord. No. 2001-43, §§ 1, 2, 7-24-01; Ord. No. 2003-06, § 1, 1-28-03; Ord. No. 2004-39, § 1, 9-28-04; Ord. No. 2005-01, § 2, 1-25-05; Ord. No. 2005-14, § 1, 6-28-05; Ord. No. 2006-37, § 1, 8-22-06; Ord. No. 2006-48, § 1, 10-24-06; Ord. No. 2007-32, § 2, 7-24-07; Ord. No. 2007-38, § 2, 8-28-07; Ord. No. 2010-60, § 1, 9-28-10; Ord. No. 2012-41, § 1, 7-24-12; Ord. No. 2012-42, § 1, 7-24-12; Ord. No. 2012-43, § 1, 7-24-12; Ord. No. 2013-01, § 1, 1-22-13; Ord. No. 2013-35, § 1, 6-25-13; Ord. No. 2014-28, § 1, 5-27-14)