

## Chapter 9 – The Commercial District Requirements

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#### 9-9-1 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 the Village of Mokena and neighboring areas.

#### 9-9-2 General Cross-reference Guide for Additional Regulations.

- A. Land Use Interpretation. All applications for a permitted or Special Use which are not listed in Table 9-9-3.1 (The Commercial District Use Matrix) shall be submitted to the Zoning Official for a use interpretation pursuant to the standards and procedures set forth in Section 9-4-8 (Administrative Interpretations).
- B. Temporary Uses. Certain temporary uses are permitted in the commercial districts subject to the provisions of Section 9-14-13 (Temporary Uses) and the securing of a temporary use permit pursuant to Section 9-4-10 (Temporary Use Permit).
- C. Parking and Loading. The parking and loading requirements applicable in the commercial districts are set forth in Chapter 17 (Off-Street Parking and Loading).
- D. Signs. Sign regulations applicable in the commercial districts are set forth in Chapter 18 (Signs).
- E. Erosion and Sedimentation Control. Requirements relating to erosion and sedimentation control in the commercial districts are set forth in Chapter 6 (General Provisions).
- F. Performance Standards. Requirements relating to performance standards in the commercial districts are set forth in Chapter 15 (Performance Standards).
- G. Landscaping and Screening. Requirements relating to landscaping, screening, and buffering in the commercial districts are set forth in Chapter 17 (Landscaping and Screening).
- H. Fences. Requirements relating to fences in the commercial districts are set forth in Chapter 14 (Specific Use Provisions).
- I. Nonconforming Lots. Requirements relating to nonconforming lots in the commercial districts are set forth in Chapter 5 (Nonconforming Uses and Structures).

**9-9-3 Commercial District Regulations.**

- A. Permitted Uses. The uses permitted in the commercial districts established herein are listed in the Commercial District Use Matrix set forth in Table 9-9-3.1, and shall be considered permitted as of right, subject to any limitations therein, this Title, or other Village Title, and the securing of a Zoning Certificate.
- B. Special Uses. The uses allowed as special uses in the commercial districts established herein are listed in the Commercial District Use Matrix set forth in Table 9-9-3.1, and may be allowed subject to any limitations therein, this Title, or other Village Title, and the securing of a Special Use Permit pursuant to Section 9-4-5 (Special Use Permits).
- C. Accessory Uses. Accessory uses, buildings and structures customarily incidental to and commonly associated with a permitted use or a special use may be permitted, subject the provisions of Chapter 14 (Specific Use Provisions) and any limitation contained herein. Specifically permitted or allowed accessory uses, buildings and structures are listed in Table 9-9-3.2 (Commercial District Accessory Use Matrix).
- D. Bulk Regulations. Subject to the limitations contained therein and elsewhere in this Title, the bulk regulations that apply to the commercial districts are listed in Table 9-9-3.3 (The Commercial District Bulk Matrix).
- E. Prohibited Uses. Uses not listed as permitted or special uses in the Commercial District Use Matrix set forth in Table 9-9-3.1 below are hereby strictly prohibited.

**9-9-4 C-1 Traditional Shopping District.**

- A. Purpose. The C-1 Traditional Shopping District is hereby established to provide areas to be used by retail or service establishments to supply goods or personal services for daily needs of the residents living in residential neighborhoods.
- B. Policy. To achieve the purpose of commercial districts and the C-1 District, it shall be the policy of the Village to:
  - 1. To preserve existing C-1 Districts on primary or secondary thoroughfares with close proximity to future or existing residential districts.
  - 2. Require adequate off-street parking.
  - 3. To preserve existing C-1 Districts in groups rather than in a fragmented manner to promote public convenience and safety.
  - 4. Foster the use of heavily landscaped buffer areas between adjoining noncommercial districts.

**9-9-5 C-1A General Commercial District.**

- A. Purpose. The C-1A General Commercial District is hereby established to provide large sites to be used by retail or service establishments to supply goods or personal services for daily needs of the residents living in the Village, as well as residents of neighboring communities.
- B. Policy. To achieve the purpose of the C-1A District, it shall be the policy of the Village to:
  - 1. Centrally locate the C-1A Districts on primary or secondary thoroughfares;
  - 2. Require adequate off-street parking and limited access to roads.

3. Insure efficient land to be available for future expansion of local shopping districts to meet growing needs of local citizens.
4. Foster the use of heavily landscaped buffer areas between adjoining noncommercial districts.
5. Promote the grouping of C-1A uses and insure that sufficient lands will be available for future expansion to meet the expected growth forecast within a continuous area and oppose and discourage the hazards to safety and nuisance of traffic congestion generated by strip commercial development.

**9-9-6 C-2 Highway Commercial District.**

- A. Purpose. The C-2 Highway Commercial District is hereby established to promote areas which primarily serve the needs of motorists in a manner conducive to generating business development, and to promote regulations for highway associated uses through adequately sized parcels of land allowing for setbacks, clear vision and safe ingress and egress.
- B. Policy. To achieve the purpose of the C-2 District, it shall be the policy of the Village to:
  1. Promote the grouping of C-2 uses to major thoroughfares and to discourage the hazards to safety and nuisance of traffic congestion along public streets; and
  2. Require adequate off-street parking and limited access to road through the use of frontage roads.

**9-9-7 C-3 Commercial District.**

- A. Purpose. The C-3 Commercial District is hereby established to provide substantial sites for commercial and retailing service and activities to be developed in a unified fashion and to allow for sized larger setbacks, clear vision and safe ingress and egress.
- B. Policy. To achieve the purpose of the C-3 Commercial District, it shall be the intent of the Village to:
  1. Promote the grouping of C-3 uses and oppose and discourage the hazards to safety and nuisance of traffic congestion generated by multiple access ways at close intervals over extended lengths.
  2. So locate C-3 Districts to other districts nearby or adjacent to available Municipal police and fire protection so as to protect these areas from the dangers of fire, explosion or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare or other threats to health and well being.
  3. Require adequate off-street parking and limited access to roads through the use of frontage roads.
  4. Locate C-3 Districts along primary thoroughfares.

**9-9-8 C-4 Traditional Downtown District.**

- A. Purpose. The C-4 Traditional Downtown District is hereby established to preserve the historical characteristics and heritage of the traditional central commercial area of the Village, which by its nature requires special regulation designed to enhance the area and insure that future development or redevelopment is not incompatible with the historical character of the area. The area included within this district has historical significance as being the Commercial Business Center of the Village as it was originally laid out.
- B. Policy. To achieve the purpose of commercial districts and preserve the C-4 Traditional Downtown District, it shall be the policy of the Village to:
  1. Insure that all redevelopment or new development is consistent in appearance with surrounding buildings and historical characteristics of the area.

2. Promote sound community planning to preserve the heritage, aesthetic interest, values, and customs related to the historic significance of the area.
3. Preserve the economic stability of retail trade and personal service business of the Traditional Downtown District.

**Table 9-9-3.1 Commercial District Use Matrix.**

USES	C-1	C-1A	C-2	C-3	C-4
Animal clinics/hospitals	S	P	P	P	S
Assisted living facility	S	S	S	S	S
Auto body repair		S	S	S	
Auto filling station	S	S	S	S	S
Bakery	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>	P <sup>(1)</sup>
Bed and Breakfast establishments					S
Building materials service and supply			S	P	
Business service establishments	P	P	P	P	P
Car wash		S	S	S	
Caretaker’s residences			S	S	
Child care center	S	S	S	S	S
Clinics (medical and dental)	P	P	P	P	P
Commercial indoor recreation	P	P	P	P	P
Commercial outdoor recreation	P	P	P	P	P
Commercial parking lot	P	P	P	P	P
Commercial shopping centers	P	P	P	P	P
Convenience mart fueling station	S	S	S	S	S
Convenience retail store	P	P	P	P	P
Cultural facilities and libraries	P	P			P
Delicatessen	P	P	P	P	P
Distribution Centers				S	
Dwellings (above ground floor)	S	S	S	S	S
Dwellings - apartments (above ground floor only)	S				S
Essential services	P	P	P		P
Financial institutions	P	P	P	P	P
Firearm and Ammunition Sales and Repair	S <sup>(5)</sup>	S <sup>(5)</sup>	S <sup>(5)</sup>	S <sup>(5)</sup>	S <sup>(5)</sup>
Funeral homes	P	P	S	P	P
Government buildings	P	P	P	P	P
Greenhouses and nurseries - commercial		P	P	P	
Grocery retail	P	P	P	P	P
Hospitals				P	
Hotels	S	S	S	S	S
Indoor amusement and entertainment		S	S	S	
Laboratories – Support		P	P	P	
Leasing/Rental agents, equipment		P	P	P	
Leasing/Rental agents, vehicles		P	P	P	
Liquor stores (subject to the approval of Liquor Commissioner)	S	S	S	S	S
Lumber yard			S	S	
Major appliance sales and service	P	P	P	P	P
Manufactured home sales			S	S	
Massage Therapy	P	P	P	P	P
Media broadcast stations				P	
Medical Marijuana Dispensing Facility	S <sup>(4)</sup>	S <sup>(4)</sup>	S <sup>(4)</sup>	S <sup>(4)</sup>	S <sup>(4)</sup>
Membership organizations and halls	P	P	P	P	P

Commercial Uses (continued)		C-1	C-1A	C-2	C-3	C-4
Motels			S	S	S	
Motor Vehicle Sales (new or used)			P	P	P	
Motor Vehicle Service Repair		S	S	S	S	S
Municipal buildings and facilities		P	P	P	P	P
Off-track Betting facilities			S	S	S	
Office – general		P	P	P	P	P
Offices (business and professional)		P	P	P	P	P
Outdoor amusement and entertainment			S	S	S	
Parks		P	P	P	P	P
Pawn Shop		S	S	S	S	S
Personal service establishments		P	P	P	P	P
Pharmacies/Drug Stores		P	P	P	P	P
Planned developments		S	S	S	S	S
Pool hall and billiards		S	S	S	S	S
Post office		P	P	P	P	P
Public transportation centers and railroad R-O-W.( no rail yards or shops)		P	P	P	P	P
Public utilities		P	P	P	P	P
Recreational vehicle sales				P	P	
Restaurants						
	Class A	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>	P <sup>(2)</sup>
	Class B	P	P	P	P	P
Retail goods establishments		P	P	P	P	P
Sanitariums				S	S	
Schools – business/vocational				P	P	
Schools - elementary, high school, and colleges		P	P	P	S	
Specialty food stores		P	P	P	P	P
Studios, artist, dance and music		P	P	P	P	P
Tattoo and body piercing establishments				S <sup>(3)</sup>		
Taverns and lounges (subject to the approval of Liquor Commissioner) <sup>(2)</sup>		S	S	S	S	S
Theaters (indoor)			P	P	P	P
Theaters (outdoor)				S	S	
P = Permitted / S = Special Use Permit Required						

1. The manufacture of goods is limited to goods retailed on the premises only.
2. The sale and consumption of alcohol on site shall be subject to the review and approval of the Liquor Commissioner.
3. No sexually orientate business, or tattoo establishment shall be located within one thousand (1,000) feet of any residential zoning district, public or private school, place of worship, child care center, school bus stops, public park or playground, sexually oriented businesses or other tattoo establishments.
4. Medical Marijuana Dispensing Facilities shall be a minimum one thousand (1,000) feet from any residentially zoned areas, existing pre-schools, elementary and secondary schools, full and part time day care homes, day care centers, and day care uses.
5. Firearm and Ammunition Sales and Repair Facilities shall be located a minimum five hundred (500) feet from any residentially zoned areas, existing pre-schools, elementary and secondary schools, full and part time day care homes, day care centers, and day care uses.

**Table 9-9-3.2 Commercial District Accessory Use Matrix.**

USES	C-1	C-1A	C-2	C-3	C-4
Accessory uses and structures <sup>(2) (3)</sup>	P	P	P	P	P
Drive-through facility	S	S	S	S	S
Outdoor storage <sup>(1)</sup>		S	S	S	
24 Hour Unattended Business with Controlled Access	S	S	S	S	S
P = Permitted / S = Special Use Permit Required					

1. The outdoor storage shall be of uncontaminated bulk materials. Outdoor storage shall also be enclosed by a fence and effectively screened on all sides.
2. No front yard shall be used for the sale or display of merchandise, except as provided by Section 9-15-13. Temporary and seasonal sales of merchandise or the display of merchandise shall not encroach into areas of required parking unless permitted by the Zoning Administrator pursuant to Section 9-4-10 (Temporary Use Permits).
3. Outdoor dining for Class A restaurants and taverns shall be set back from any residential district or dwelling a minimum of one hundred (100) feet. This requirement shall not apply to outdoor dining areas comprising one hundred (100) square feet or less.

**Table 9-9-3.3 Commercial District Bulk Matrix.**

Development Standards	Districts				
	C-1	C-1A	C-2	C-3	C-4
<b>Minimum Lot Size</b>	12,000 sq. ft.	1 acre	3 acres	10 acres	5,000 sq. ft.
<b>Minimum Lot Frontage</b>	80 ft.	125 ft.	150 ft.	300 ft.	50 ft.
<b>Yards<sup>(1)</sup></b>					
Front	30 ft.	30 ft.	30 ft.	50 ft.	<sup>(2)</sup>
Side	10 ft.	10 ft.	10 ft.	10 ft.	n/a
Rear	30 ft.	30 ft.	30 ft.	50 ft.	10 ft.
<b>Maximum Height</b>	35 ft.	35 ft.	35 ft. <sup>(3)</sup>	35 ft. <sup>(3)</sup>	35 ft.
<b>Floor Area Ratio</b>	1.0	1.0	0.35	0.35	2.0
<b>Maximum Coverage</b>	n/a	85%	n/a	n/a	n/a

NOTES:

1. Transitional Yards: Where properties in the above districts adjoin other zoning districts or across road R-O-W from other zoning districts, the particular required yard shall be the greater of the two yard requirements found in either the particular adjoining zoning districts or the particular zoning districts listed above.
2. Subject to approval by the Zoning Official, all structures shall be set back from the front lot line the same distance as the structures located on adjacent parcels, except for corner lots where the front yard setbacks shall be 15 feet.
3. Office buildings may be 50 feet or 5 stories whichever is less.