

## **ARTICLE V. COMMERCIAL DISTRICTS**

### **5-101: PURPOSE**

Four zoning districts are provided for commercial uses and two zoning districts are provided in Article VIII of this Code for commercial uses that are complementary to multiple family residential uses. When taken together, these districts are intended to permit development of property for the full range of commercial uses needed to serve the citizens of Oak Forest and surrounding areas in a suburban setting.

Specifically, the C1 Local Commercial District is intended to provide for local and neighborhood retail and service commercial establishments. The C2 General Service Commercial District is intended to provide for general commercial activity, including what has traditionally been called highway commercial activities for large more intense commercial developments such as shopping centers, strip centers and establishments with areas of outside product display and sales such as automobile dealerships. The C3 Central Business District is intended to serve the entire Oak Forest suburban community with a wider variety of retail and service uses. The COD is intended to preserve and assist the 159<sup>th</sup> Street Business Corridor revenue generating capacity. The overlay district provides the regulations necessary to encourage commercial development that contributes to the overall tax base of Oak Forest.

### **5-102: PERMITTED USES AND SPECIAL PERMIT USES**

In interpreting the permitted and special use designations, reference should be made to the North American Industry Classification System, as amended by the City (see Appendix A) and Section 11-501 of this Code.

### **5-103: ACCESSORY STRUCTURES AND USES**

Accessory structures and uses are permitted in all Commercial Districts subject to the provisions of Section 9-101 of this Code.

### **5-104: TEMPORARY USES**

Temporary uses are permitted in all Commercial Districts subject to the provisions of Section 9-103 of this Code.

### **5-105: PARKING AND LOADING REQUIREMENTS**

The parking and loading requirements applicable in all Commercial Districts are set forth in Sections 9-104 and 9-105 of this Code.

### **5-106: SIGN REGULATIONS**

Sign regulations applicable in all Commercial Districts are set forth in Section 9-106 of this Code.

## **5-107: BUFFERS AND LANDSCAPING**

Requirements relating to buffering and landscaping of certain uses and structures in Commercial Districts are set forth in Section 9-107 of this Code.

## **5-108: USE LIMITATIONS**

### **A. C1 Local Commercial District**

1. New Structures. Any new structure constructed in the C1 District shall be designed to be compatible in appearance with adjacent single family residential structures. The quality of exterior design and materials shall be equal on facades of the structure.
2. Exterior Lighting. No exterior lighting shall be located in any required rear yard in the C1 District.
3. Signage. No business sign located in the C1 District shall be in direct view of any abutting residential lot.
4. Landscaping. The entire rear yard of any lot in the C1 District shall be treated as a required landscaped open space.

### **B. C3 Central Business District**

1. Single Family Detached Dwelling Units. Single family detached dwelling units located on lots which do not occupy frontage on a major arterial street and/or state highway are permitted within the C3 District. Additionally, single family detached dwelling units also located on lots with frontage on Cicero Avenue between 159th Street and 162nd Street, with the exception of property in the Redevelopment Overlay District, are permitted within the C3 District.
2. Multi-Family Dwelling Units. Multi-Family attached dwelling units proposed as part of a mixed-use planned commercial development are permitted as a special use.

### **C. All Commercial Districts**

1. Manufacturing Limited. No manufacturing, processing or treatment of products shall be conducted on the premises except those that are incidental to a principal retail business use. At least 75 percent of all products produced on the premises shall be sold at retail on the premises.
2. Storage Limited. No storage or warehousing of any product shall be permitted except such as is incidental to a principal retail use.

3. Above Ground Tanks. No above ground tanks designed or used for the storage of flammable or combustible liquids shall be located less than 600 feet from the lot line of any lot on which a fire station is located.

D. Outdoor Display of Merchandise. For displays of merchandise not otherwise permitted under Section 9-103 of this Code regarding Temporary Uses, the outdoor display of merchandise shall be permitted in any Commercial District subject to the following conditions, standards, and requirements:

1. Permit. The owner of the property on which the merchandise is to be displayed shall obtain a permit from the City Administrator prior to the display of any merchandise outdoors. No permit shall be issued unless a plan is submitted to the City Administrator by the owner illustrating the intended locations on the property where any merchandise will be displayed outdoors. The plan shall be subject to review by the Police, Fire, Public Works and Development Departments to ensure the proposed outdoor display will not pose a public safety hazard. The plan shall clearly illustrate the following:
  - (a) All property lines, sidewalk and building locations, fire hydrants, parking areas, and fire lanes; and
  - (b) The location of an unobstructed pedestrian walkway with a width of at least five feet providing ingress and egress to all entrances and exits to all buildings or structures on the property. If the outdoor display will be located on property with adjacent businesses, there shall be an unobstructed path of at least five feet in width to and from the front of every adjoining business.
  - (c) Upon review and approval of the plan, the City Administrator shall issue a permit subject to such conditions as he or she deems necessary to ensure that the outdoor display will not cause a public nuisance.
2. Term. The permit shall be valid for a term not to exceed one year. Renewal of a permit shall require City review and approval of a new plan pursuant to the procedures and conditions of Paragraph 5-108 D1 of this Code.
3. General Standards. The owner shall ensure that any outdoor display of merchandise satisfies the following conditions, standards, and requirements at all times:
  - (a) The display does not block or hinder access to the emergency exits of any building or structure or any fire lane on the property;
  - (b) The display contains only merchandise available for sale within the building or structure adjacent to, or in close proximity to, the display;
  - (c) The display does not encroach on any parking area; and
  - (d) The display is maintained in a neat, clean, and orderly fashion.

4. Revocation. The failure of an owner to comply with the terms of the permit or the conditions, standards and requirements of this Subsection 5-108 shall be grounds for the immediate revocation of the permit by the City.

**5-109: BULK, SPACE AND YARD REQUIREMENTS**

The building height, yard and setback requirements applicable in the Commercial Districts are set forth in the following table. Footnote references appear in Section 5-109 D at the end of the table.

	C1	C2	C3
<b>A. Maximum Height (whichever is less)(10)</b>			
1. Feet	35	35	45
2. Stories	2	2	3
<b>B. Minimum Lot Area &amp; Dimensions (1)(5)(9)</b>			
1. Total Lot Area (square feet)	6,250	8,500	6,250
2. Lot Width (feet)	50	60	50
<b>C. Minimum Setbacks (2)(3)(4)(5)(6)(7)(8)(9)</b>			
1. Front and Corner Side (feet)			
a. Yard	25	25	0
b. Setback	25	25	0
2. Interior Side (feet)			
a. Yard	0	5	0
b. Setback	0	5	0
3. Rear (feet)			
a. Yard	20	20	25
b. Setback	25	25	25

**D. Exceptions and Explanatory Notes**

1. Nonconforming Lots. See Subsection 10-105 for lot requirements with respect to nonconforming lots of record.
2. Yard Requirements for Uses Without Structures. On any lot occupied by a use without structures, the minimum yards that would otherwise be required for such lot shall be provided and maintained.
3. Visibility Across Corners. Any other provision of this Code to the contrary notwithstanding, in all Commercial Districts other than the C3 District, on any corner lot nothing shall be erected, placed, planted, allowed to grow or maintained above a height of 2-1/2 feet from grade within the area of a Sight Triangle as defined in Section 12-206 S of this Code.
4. Transitional Setbacks in C1 and C2 Districts Abutting Residential Districts. Notwithstanding any other provisions of this Section, the following shall be setback from the nearest residential property line a distance equal to at least 40 feet.

5. Lot Dimensions and Yards in Planned Developments.
  - (a) Authority to Waive. The Plan Commission may recommend and the City Council may authorize the waiver of the lot dimension requirements of the underlying district and the yard requirements of the underlying district for yards within the interior of the development when approving special permits for planned developments.
  - (b) Special Requirements; Limitation of Waiver Authority. Special perimeter open space setback and spacing requirements for planned developments are set forth in Subparagraphs 11-603 E2 (f) and (g) of this Code. Such requirements shall not be waived under any circumstances.
  - (c) Standards for Waiver. No such waiver shall be recommended or authorized except in accordance with the provisions of Subsection 11-603 H of this Code.
6. Special Setbacks for Signs. Special setbacks are established for some signs by Subsections 9-106 H and 9-106 I of this Code; those setbacks shall control over the yards and setbacks established in the table.
7. Specified Structures and Uses in Required Yards. The following structures and uses, except as limited below, may be located in any required yard.
  - (a) Accessory uses, subject to the limitations of Section 9-101.
  - (b) Statuary, arbors, trellises and ornamental light standards having a height of ten feet or less.
  - (c) Awnings, canopies, eaves and gutters projecting not more than three feet from an exterior wall.
  - (d) Bay windows and balconies projecting not more than three feet from an exterior wall for a distance not more than 1/3 of the length of such wall; provided that such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of 22-1/2 degrees with the wall in question.
  - (e) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices and the like projecting not more than two feet from an exterior wall.
  - (f) Outside stairways projecting from an exterior wall not more than three feet and having a height of four feet or less.
  - (g) Flagpoles.
  - (h) Non-mechanical laundry drying equipment, except in front yards.

- (i) Off-street parking and loading of vehicles, but only as expressly authorized and regulated in Sections 9-104 and 9-105 of this Code.
  - (j) Terraces.
  - (k) Recreational devices, except in front yards.
  - (l) Fences, walls, and hedges, subject to the limitations of Section 9-107 of this Code.
8. Platted Building and Setback Lines. See Subsection 12-101 F of this Code.
9. Lot Dimensions and Yards for Electrical Substations.
- (a) Authority to Waive. The City Council may authorize the waiver of the lot dimension and yard requirements of the underlying district when approving site plans for electrical substations.
  - (b) Standards for Waiver. No such waiver shall be recommended or authorized except on the basis of need and impact on the surrounding properties.
10. Height Exceptions. Structures housing religious organizations may extend to a height of 55 feet and may include spires and minarets that extend to a height of 70 feet.

**5-110: 159<sup>TH</sup> STREET COMMERCIAL OVERLAY DISTRICT**

- A. Purpose and Intent. The purpose and intent of the 159<sup>th</sup> Street Commercial Overlay District (“COD”) is enhance and build upon a core business area, to add to the support of the business and retail vitality of the City in a limited, specified, visible corridor within the City, to limit or eliminate obstacles to maximizing business location and operation within the corridor and in furtherance of the goal of business generation and preservation to create zoning regulations that specifically target, promote and maintain business opportunities, interests and development in the corridor and to preserve, consistent with the Comprehensive Plan, the COD by limiting the permitted and special uses allowed therein to commercial retail stores, commercial establishments, service establishments, professional offices and commercial/retail mixed uses that generate sales tax revenues, maintain the City’s property tax base and allow for convenient locations for the public to shop, obtain services and conduct business.
- B. Boundaries. The COD is generally located along 159<sup>th</sup> Street between Oak Park Avenue and Cicero Avenue, and is as depicted in the Appendix C map attached to this Zoning Ordinance.

[INSERT LEGAL DESCRIPTION]

- C. Standards. Where the standards for the COD differ from or are inconsistent with those of the base zoning standards, the COD standards shall control. Otherwise, the base zoning standards are applicable.
- D. Permitted Uses. The permitted uses in the COD shall be limited to commercial retail stores, commercial establishments, service establishments, and professional offices that generate sales tax revenues, promote and maintain the City's property tax base and provide for convenient locations for the public to shop, obtain services and conduct business. *[Insert column in Appendix A zoning table in Ordinance for Overlay district and list permitted uses]*.
- E. Prohibited Uses. All tax exempt uses listed and defined in NAICS Code 813 including, without limitation, not-for-profit, religious, professional, fraternal and civic organizations, are expressly prohibited in the COD.
- F. Base Zoning. *[Insert base zoning]*.
- G. Commercial Planned Unit Developments. Commercial Planned Unit Developments shall be permitted in the COD subject to the approval process provided for in §160.385 of the Zoning Code.