



**DUPAGE  
COUNTY**

## BUILDING & ZONING DEPARTMENT

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### MEMORANDUM

TO: DuPage County Development Committee

FROM: Staff

DATE: January 21, 2025

RE: **T-1-25 Proposed Text Amendments to the County Zoning Code relative to Video Gaming**

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**DuPage County Development Committee: January 21, 2025:**

**T-1-25 Proposed Text Amendments:** Request to proceed with a public hearing before the DuPage County Zoning Board of Appeals to consider proposed Text Amendments T-1-25 to the DuPage County Zoning Ordinance regarding video gaming, to align the Zoning Ordinance with current liquor license regulations for greater consistency.

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**EXHIBIT A:**

**Amend ARTICLE III. - RULES AND DEFINITIONS, Section 37-302: - DEFINITIONS:**

Video gaming:

Video gaming café **restaurant**: An establishment wherein the principal business use is video gaming where the proprietor holds a video gaming license from the State of Illinois and provides alcohol service per a liquor license from the County and may serve prepared food or packaged food for consumption on the premises incidental to the operation of video gaming.  
**(See also definition of Restaurant).**

Video gaming terminal establishment (**accessory use**): An accessory use that is not a Video Gaming Cafe, where video gaming terminals are an accessory use to the principal/**primary** business use on the premises, and where the proprietor of the principal business use holds a video gaming license from the State of Illinois and may hold a liquor license from the County.

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**Amend Section 37-801: B-1 LOCAL BUSINESS DISTRICT: 37-801.2: -CONDITIONAL USES:**

The following conditional uses require prior approval after a public hearing in accordance with the requirements of section 37-1413 of this chapter:

Restaurants, class B and C, including open air dining, ~~and including any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least one hundred feet (100 feet) 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café, Tavern or Class B or C restaurant that also has a Video Gaming Terminal Establishment.~~

**Video Gaming Café: Any Video Gaming Café must be located at least one hundred (100) feet from a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.**

**Video Gaming Terminal Establishment (Accessory Use): Any video gaming terminal establishment accessory use must be located at least one hundred (100) feet, from a place of assembly use, school or day care facility and another Video Gaming Café or use that has a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.**

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**Amend Section 37-802: B-2 GENERAL BUSINESS DISTRICT: 37-802.1: -PERMITTED USES:**

The following uses are permitted:

General services:

Taverns, **including Video Gaming Terminal Establishments. Any Tavern Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from**

**a place of assembly use, school or day care facility and another Tavern Use that also has a Video Gaming Terminal Establishment.**

Retail businesses:

Automobile service stations, **including Video Gaming Terminal Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.**

Convenience Store: Establishment where pre-packaged foods and beverages are sold for off premises consumption. **Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.**

Restaurants - carryout, class A, B, and C. **Including Video Gaming Establishments and Video Gaming Café. Any Video Café or any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment.**

**Video Gaming Café: Any Video Gaming Café must be located at least one hundred feet (100 feet) from a place of assembly use, school, day care facility or any other Video Gaming Café, or use that also has a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.**

**Video Gaming Terminal Establishment (Accessory Use): Any video gaming terminal establishment accessory use to a permitted principal use must be located at least one hundred (100) feet from a place of assembly use, school or day care facility and another Video Gaming Café or a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.**

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**Amend Section 37-1001: I-1 LIGHT INDUSTRIAL DISTRICT: 37-1001.1: PERMITTED USES:**

Retail businesses:

Convenience Store: Establishment where pre-packaged foods and beverages are sold for off premises consumption, ~~and may include Video Gaming Terminal Establishments. Any convenience store that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another convenience store that also has a Video Gaming Terminal Establishment.~~

Restaurants - carryout, class A, B, ~~and C, and may include Video Gaming Establishments and Video Gaming Café. Video Gaming Café or any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment~~

Truck stop, Large, ~~: May include Video Gaming Terminals. Any Large Truck facility that also has Video Gaming terminals must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Large Truck facility that also has a Video Gaming Terminals.~~

Truck stop, Small, ~~: May include Video Gaming Terminals. Any Small Truck facility that also has Video Gaming terminals must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Small Truck facility that also has a Video Gaming Terminals.~~

Video Gaming Café: Any Video Gaming Café must be located at least one hundred feet (100 feet) from a place of assembly use, school, day care facility and another Video Gaming Café or use that has a Video Gaming Terminal Establishment. (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.

Video Gaming Terminal Establishment (Accessory Use): Any video gaming terminal establishment accessory use must be located at least one hundred feet (100 feet), from a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.

Service businesses:

Automobile service stations, ~~May include Video Gaming Establishments. Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.~~

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**Amend Section 37-1002: I-2 GENERAL INDUSTRIAL DISTRICT: 37-1002.1: PERMITTED USES:**

Retail businesses:

Convenience Store: Establishment where pre-packaged foods and beverages are sold for off premises consumption, ~~and may include Video Gaming Terminal Establishments. Any Convenience Store that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Convenience Store that also has a Video Gaming Terminal Establishment.~~

Restaurants - carryout, class A, B, ~~and C, and may include Video Gaming Establishments and Video Gaming Café. Video Gaming Café or any Class B or C Restaurant Use that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Video Gaming Café or Class B or C restaurant that also has a Video Gaming Terminal Establishment.~~

Truck stop, Large, ~~: May include Video Gaming Terminals. Any Large Truck facility that also has Video Gaming terminals must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Large Truck facility that also has a Video Gaming Terminals~~

Truck stop, Small, ~~May include Video Gaming Terminals. Any Small Truck facility that also has Video Gaming terminals must be located at least 1,000 feet from a place of assembly use, school or day care facility and another Small Truck facility that also has a Video Gaming Terminals~~

Video Gaming Café: Any Video Gaming Café must be located at least one hundred feet (100 feet) from a place of assembly use, school, day care facility and another Video Gaming Café or use that has a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.

Video Gaming Terminal Establishment (Accessory Use): Any video gaming terminal establishment accessory use must be located at least one hundred feet (100 feet), from a place of assembly use, school or day care facility and another Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use). The distance of one hundred (100) feet shall be measured to the nearest part of any building used for a place of assembly use, school or day care facility and another

**Video Gaming Café or use that also has a Video Gaming Terminal Establishment (Accessory Use) and not to property boundaries.**

Service businesses:

Automobile service stations, ~~and may include Video Gaming Terminal Establishments.~~  
~~Any automobile service station that also has a Video Gaming terminal establishment must be located at least 1,000 feet from a place of assembly use, school or day care facility and another automobile service station that also has a Video Gaming Terminal Establishment.~~

END