



**DUPAGE
COUNTY**

BUILDING & ZONING DEPARTMENT

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MEMORANDUM

TO: DuPage County Development Committee

FROM: Staff

DATE: February 17, 2025

RE: **T-1-26 Proposed Text Amendments to the County Zoning Code
relative to Video Gaming**

DuPage County Development Committee: February 17, 2026:

T-1-26 Proposed Text Amendments: Request to proceed with a public hearing before the DuPage County Zoning Board of Appeals to consider proposed Text Amendments T-1-26 to the DuPage County Zoning Ordinance.

The proposed amendments revise how the required separation distance between video gaming cafés and video gaming terminal establishments are measured from certain protected uses and from any other establishment that operates video gaming terminals.

- Specifically, the amendments would require the minimum separation stating the following for each video gaming type use: “shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.”

EXHIBIT A:

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 video gaming terminal establishments. ~~Any class B or C restaurant use that also has a video gaming terminal establishment must be located at least one thousand (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.~~

Any Class B or Class C restaurant use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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

The following uses are permitted:

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 one thousand (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. Automobile service stations, including Level 3 (DC fast) charging stations, shall not be eligible for yard reductions by conditional use.~~

Any automobile service station that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals. Automobile service stations, including Level 3 (DC fast) charging stations, shall not be eligible for yard reductions by conditional use.

Convenience store: Establishment where pre-packaged foods and beverages are sold for off premises consumption, including video gaming terminal establishments. ~~Any automobile service station that also has a video gaming terminal establishment must be located at least one thousand (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.~~
Any convenience store that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any

place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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 one thousand (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.~~

Any video gaming café or Class B or Class C restaurant use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

Taverns including video gaming terminal establishments. ~~Any tavern use that also has a video gaming terminal establishment must be located at least one thousand (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.~~

Any tavern use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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

Automobile service stations and may include video gaming establishments. ~~Any automobile service station that also has a video gaming terminal establishment must be located at least one thousand (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. Automobile service stations, including Level 3 (DC fast) charging stations, shall not be eligible for yard reductions by conditional use.~~

Any automobile service station that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals. Automobile service stations, including Level 3 (DC fast) charging stations, shall not be eligible for yard reductions by conditional use.

Convenience store: Establishment where pre-packaged foods and beverages are sold for off premises consumption, including video gaming terminal establishments. ~~Any automobile service station that also has a video gaming terminal establishment must be located at least one thousand (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.~~

Any convenience store that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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 one thousand (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.~~

Any video gaming café or Class B or Class C restaurant use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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.~~

Any large truck facility use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates 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.~~

Any small truck facility use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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

PERMITTED USES:

Automobile service stations and may include video gaming establishments. ~~Any automobile service station that also has a video gaming terminal establishment must be located at least one thousand (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. Automobile service stations, including Level 3 (DC fast) charging stations, shall not be eligible for yard reductions by conditional use.~~

Any automobile service station that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals. Automobile service stations, including Level 3 (DC fast) charging stations, shall not be eligible for yard reductions by conditional use.

Convenience store: Establishment where pre-packaged foods and beverages are sold for off premises consumption, including video gaming terminal establishments. ~~Any automobile service station that also has a video gaming terminal establishment must be located at least one thousand (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.~~

Any convenience store that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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 one thousand (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.~~

Any video gaming café or Class B or Class C restaurant use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

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.~~

Any large truck facility use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that

operates 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.~~

Any small truck facility use that includes a video gaming terminal establishment shall be located no less than one thousand (1,000) feet, measured from the nearest portion of the building or tenant space of the subject use to the nearest portion of the building or tenant space of any place of assembly, school, day care facility, or any other establishment that operates video gaming terminals.

****END****