

VILLAGE OF SWANSEA, ILLINOIS

ORDINANCE NO. 1972

AN ORDINANCE AMENDING 154.080: PB – PLANNED BUSINESS DISTRICT REGARDING
NOTICE OF PUBLIC HEARING REQUIREMENTS

ADOPTED BY THE BOARD OF THE TRUSTEES
OF THE
VILLAGE OF SWANSEA

THIS 4th DAY OF November 2024.

Published in pamphlet form by authority of the Board of Trustees of the Village of Swansea, St.
Clair County, Illinois, this 5th Day of November 2024.

Posted <u>11</u> / <u>4</u> / <u>2024</u> By <u>SKP</u> Initials
Removed <u>11</u> / <u>18</u> / <u>2024</u> By <u>SKP</u> Initials

VILLAGE OF SWANSEA

ORDINANCE NO. 1972

AN ORDINANCE AMENDING 154.080: PB – PLANNED BUSINESS DISTRICT
REGARDING NOTICE OF PUBLIC HEARING REQUIREMENTS

WHEREAS, the Village of Swansea seeks to promote transparency and ensure public participation in matters involving new developments within the Village; and

WHEREAS, the Village of Swansea’s current Ordinance requires public notices to be published in a newspaper of general circulation; and

WHEREAS, the Village finds that amending the public notice requirements will enhance the opportunity for residents and business owners to be informed;

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF SWANSEA, ILLINOIS:

SECTION 1: The Board of Trustees of the Village of Swansea hereby adopts the recitals in the preamble of this Ordinance as its findings of facts.

SECTION 2: Section 154.080 is hereby amended a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

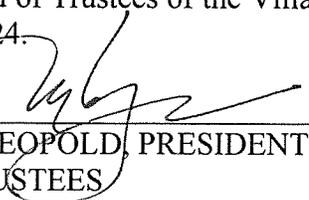
SECTION 4: This ordinance shall be in full force and effect, following its passage, approval and publication in pamphlet form as provided by law.

Passed this 4th day of November, 2024 by the Board of Trustees of the Village of Swansea, St. Clair County, Illinois

Tyler M. Thompson By: Stephanie Proffitt
TYLER THOMPSON, VILLAGE CLERK Deputy Clerk

LANTER all LEWIS all MCDONALD all THOUVENOT all
NEUMEYER all PARKER all

Approved by the President of the Board of Trustees of the Village of Swansea, St. Clair County, Illinois, this 4th day of NOVEMBER, 2024.

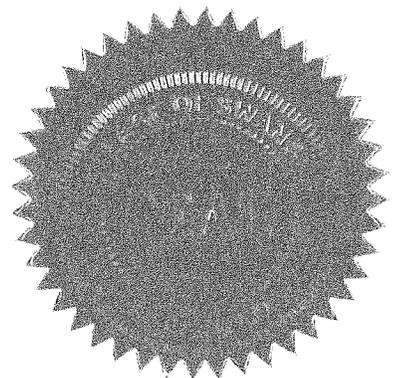


MICHAEL W. LEOPOLD, PRESIDENT
BOARD OF TRUSTEES

Attest:

Tyler M. Thompson
TYLER M. THOMPSON, VILLAGE CLERK

By: Stephanie Proffitt
Deputy
Clerk



STATE OF ILLINOIS}

COUNTY OF ST. CLAIR}

CERTIFICATION

I, Tyler M. Thompson, do hereby certify that I am the duly appointed Clerk in and for the Village of Swansea, Illinois.

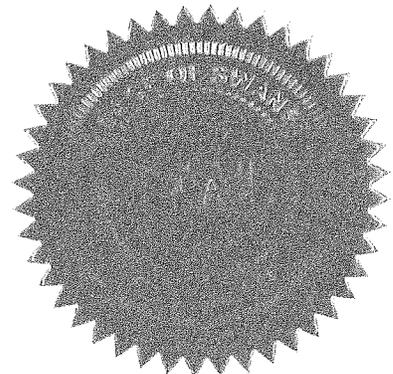
I further certify that on November 4th, 2024 the Corporate Authorities of the Village of Swansea passed and approved Ordinance No. 1972 entitled:

AN ORDINANCE AMENDING 154.080: PB – PLANNED BUSINESS DISTRICT REGARDING NOTICE OF PUBLIC HEARING REQUIREMENTS

The pamphlet form of Ordinance No. 1972, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted in the municipal building, commencing on November 5th, 2024 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at SWANSEA, Illinois, this 5th day of November, 2024.

Tyler M. Thompson By: Stephanie Ruffitt
Tyler M. Thompson, Village Clerk
Village of Swansea, Illinois



STATE OF ILLINOIS }
COUNTY OF ST. CLAIR }

AFFIDAVIT

I, Stefanie Proffitt, an employee of the Village of Swansea, St. Clair County, Illinois, do solemnly affirm that:

**AN ORDINANCE AMENDING 154.080: PB – PLANNED BUSINESS DISTRICT REGARDING
NOTICE OF PUBLIC HEARING REQUIREMENTS**

was posted at the Swansea Government Center, 1444 Boul Avenue, Swansea, Illinois, commencing on

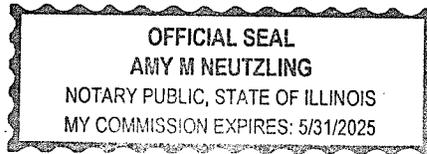
November 5th, 2024, at 10:30 o'clock AM.

Stefanie Proffitt
Written Signature

Subscribed and sworn before me on this 5th day of November 2024.

Amy Neutzling
Notary Public

(Notary Seal)





Building and Zoning Department

To: Board of Trustees
From: Greg Anderson, Building and Zoning Director
Date: October 11, 2024
Re: Proposed Ordinance Amendments for PB Planning Districts and Special Uses

BACKGROUND

A Notice of Public Hearing is a legally mandated notification that informs the general public of a public meeting where testimony and feedback is gathered on a proposed development, policy, or action. The notice of public hearing generally includes information including the time, date and location of the hearing, brief description of the request, and name and address of the property owner. Public hearings are often held as part of the planning process to gather input from the public on a project. Notice requirements for public hearings are found in the Illinois state statutes and Village of Swansea Code of Ordinances.

Village code currently requires Notices of Public Hearing to be published in a newspaper of general circulation within the Village no more than 30 days, nor less than 15 days before the hearing.

In order to promote transparency in community development and the planning process, as well as engagement with the public, many municipalities require Notices of Public Hearing to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant.

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board did a comprehensive review of the Ordinances at their meeting on October 8, 2024. The Board made the following recommendations:

PB – Planned Business:

1. Require Notices of Public Hearing to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant
2. Require a sign be posted at the specific parcel with the Notice of Public Hearing

HB – Highway Business:

1. Require Notices of Public Hearing to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant for Special Uses
2. Require a sign be posted at the specific parcel with the Notice of Public Hearing

L1 – Light Industrial

1. Require Notices of Public Hearing to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant for Special Uses
2. Require a sign be posted at the specific parcel with the Notice of Public Hearing

H1 – Heavy Industrial

1. Require Notices of Public Hearing to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant for Special Uses
2. Require a sign be posted at the specific parcel with the Notice of Public Hearing

C – Conservation District

1. Require Notices of Public Hearing to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant for Special Uses
2. Require a sign be posted at the specific parcel with the Notice of Public Hearing

§ 154.080 "PB" - PLANNED BUSINESS DISTRICT.

(A) General.

(1) The PB Planned Business District is intended to provide for maximum commercial site design and utilization in areas favorable for commercial growth, but which may experience a variety of developmental problems. These problems may relate to existing or future traffic patterns, land acquisition, topography, utilities and related areas. The PB District provides maximum flexibility for the developer to create an attractive, profitable, commercial enterprise while allowing the village to maximize vehicular and pedestrian safety, reduce potential capital expenditures for public improvements and create a more attractive community.

(2) Although the primary intent of the PB District is to provide for commercial development, the district also provides for the combination of different types of uses into a planned unit development. As an example, a parcel of property could be utilized as a planned unit development and contain a restaurant, retail shops, offices and multiple-family housing, all coexisting as an integrated complex.

(Prior Code, § 20-909)

(B) Permitted uses. The following uses shall be permitted in the PB District; provided, they are approved by the Board of Trustees and conform to such conditions and restrictions as the Board of Trustees may deem reasonably necessary or appropriate for the health, safety and welfare of the public:

- (1) Accounting, bookkeeping and auditing services;
- (2) Agricultural implements; sales and service;
- (3) Ambulance and paramedic services
- (4) Amusement establishments;
- (5) Animal hospitals and clinics;
- (6) Antique stores;
- (7) Apparel stores;
- (8) Appliance stores;
- (9) Arcades or amusement halls;
- (10) Architectural and planning services;
- (11) Art galleries, commercial;
- (12) Art and school supply stores;

- (13) Auction rooms or barns;
- (14) Auto accessory stores;
- (15) Auto dealers, new or used;
- (16) Auto driving instruction;
- (17) Auto laundries and car washing facilities
- (18) Auto renting facilities;
- (19) Auto repair, major';
- (20) Auto repair, minor;
- (21) Auto service stations;
- (22) Auto undercoating and rustproofing services;
- (23) Bakeries;
- (24) Banks, savings and loans, and other financial institutions;
- (25) Bars, taverns, and lounges;
- (26) Barber and hairstyling shops;
- (27) Beauty parlors;
- (28) Bicycle stores; sales, rental and repair;
- (29) Boat sales;
- (30) Book and stationery stores;
- (31) Bowling alleys;
- (32) Building materials and products; sales and storage;
- (33) Building trades showrooms and shops;
- (34) Business and office machine sales and services;
- (35) Bus passenger stations;
- (36) Camera stores;
- (37) Camper sales;
- (38) Candy and confectionery stores;
- (39) Catering establishments;
- (40) Child care centers;

- (41) China and glassware stores;
- (42) Churches, chapels, temples and synagogues;
- (43) Clothing and costume rental;
- (44) Clubs and lodges;
- (45) Condominiums;
- (46) Convalescent homes, nursing homes, homes for the aged, homes for the ill or physically infirm, intermediate care facilities, skilled nursing homes, and specialized living accommodations;
- (47) Convenience stores;
- (47A) Cosmetic tattooing;
- (48) Dairy products stores;
- (49) Dance/performing arts studios;
- (50) Department stores;
- (51) Detective agencies;
- (52) Drapery stores;
- (53) Dressmaking;
- (54) Dry cleaners and laundromats;
- (55) Dry goods store;
- (56) Drug stores;
- (57) Dwelling, multiple-family, conventionally constructed;
- (58) Dwelling, single-family, conventionally constructed;
- (59) Dwelling, two-family, conventionally constructed;
- (60) Electrical repair services;
- (61) Employment agencies;
- (62) Engineering and surveying services;
- (63) Equipment rental and leasing services;
- (64) Extermination services;
- (65) Fast-food or drive-in restaurants;
- (66) Floor covering stores;

- (67) Floral shops;
- (68) Funeral parlors;
- (69) Furniture stores;
- (70) Gift shops;
- (71) Governmental uses of the village;
- (72) Grocery stores;
- (73) Gymnasiums, health clubs, and spas;
- (74) Hardware stores;
- (75) Hobby shops;
- (76) Home appliance stores;
- (77) Ice cream stores;
- (78) Independent/supportive living facilities;
- (79) Indoor movie theater;
- (80) Indoor tennis or racquetball clubs;
- (81) Insurance agencies;
- (82) Jewelry stores;
- (83) Kennels;
- (84) Laboratories; medical, dental, or optical;
- (85) Landscaping services;
- (86) Libraries;
- (87) Lithographers;
- (88) Leather goods and luggage stores;
- (89) Locksmiths;
- (90) Martial arts studios;
- (91) Machinery sales and services;
- (92) Mail order houses;
- (93) Meat markets;
- (94) Medical and dental clinics;

- (95) Messenger and telegraph services;
- (96) Massage establishments (as defined), in accordance with this chapter;
- (97) Miniature golf courses;
- (98) Mobile and manufactured home sales;
- (99) Mobile classrooms, temporary;
- (100) Model homes and garage displays;
- (101) Monument sales;
- (102) Motor vehicle repair and servicing facilities;
- (103) Motorcycle sales;
- (104) Music stores;
- (105) Newspaper and periodical publishers;
- (106) Notions stores;
- (107) Nurseries and greenhouses;
- (108) Office supply and stationery stores;
- (109) Offices including medical, dental, legal, philanthropic, charitable, fraternal, not-for-profit, and other such services;
- (110) Package liquor stores;
- (111) Paint and wallpaper stores;
- (112) Painting and decorating businesses;
- (113) Parking lots and garages;
- (114) Parks and playgrounds;
- (115) Payday loan establishments;
- (116) Pet shops;
- (117) Photography, commercial studio;
- (118) Planned unit developments;
- (119) Post offices;
- (120) Public libraries, art galleries, and museums;
- (121) Radio and television stations;

- (122) Radio, television, and stereo sales;
- (123) Real estate agencies;
- (124) Record stores;
- (125) Recording or sound studios;
- (126) Recreational and community centers;
- (127) Recreational vehicle sales;
- (128) Rectories, parsonages, and parish houses;
- (129) Repair shops; shoes and clothing;
- (130) Restaurants;
- (130A) Retail ice and water vending;
- (131) Sharpening and grinding businesses;
- (132) Shoe stores;
- (133) Sporting goods stores;
- (134) Swimming pools, public or private;
- (135) Tailors;
- (136) Taxi cab garages;
- (137) Telephone exchange and equipment buildings;
- (138) Telecommunication facilities;
- (139) Tennis clubs and courts, outdoors;
- (140) Tire, battery, and other motor vehicle accessory services;
- (141) Tobacco shops;
- (142) Townhouses;
- (143) Toy stores;
- (144) Travel agencies;
- (145) Variety stores;
- (146) Video Stores, rentals and sales;
- (147) Temporary buildings or trailers for construction purposes and for a period not to exceed the period of construction; and

(148) Self-storage (mini-warehousing).

(C) Sign regulations. Any sign erected in the PB District shall conform to the provisions of §§ 154.115 through 154.133 of this chapter.

(Prior Code, § 20-911)

(D) Special procedures for the PB District. The provisions of this section shall apply to new construction and to those additions, alterations and accessory uses exceeding 15% of the area of any existing structure.

(1) Required site plan submissions. The developer shall submit a site plan containing the following pertinent information to the Zoning Administrator:

(a) The existing natural topographic features of the project area and its immediate surroundings;

(b) The number of any proposed dwelling units by type and gross density per acre;

(c) The location, size, character and number of all proposed buildings, structures and uses;

(d) The location and size of proposed off-street parking, loading and pedestrian and vehicular traffic circulation; and its relationship to the adjacent circulation system;

(e) Landscaping, erosion and sedimentation control features;

(f) Location of public and/or private utilities and facilities proposed to serve the subject area, including water supply, sewage and drainage facilities;

(g) Proposed finished grade of the site; and

(h) Perspective or such other drawings as are necessary to indicate the relative character and compatibility of the different land uses of the proposed development with the immediate area as well as within the project area.

(2) Required narrative submissions. The developer shall submit a written narrative containing at least the following pertinent information to the Zoning Administrator:

(a) A development schedule providing guidelines and sequence for the completion of the proposed development;

(b) A description of the economic viability of the development may be required to include a market analysis, cash flow projections and expected types of funding;

(c) The nature and extent of clearing and grading; and

(d) A statement of the present ownership of all land within the subject area. Unified control after construction shall include homeowner associations, trust indentures, deed restrictions and other building agreements for assuring operation and maintenance of common land and improvements.

(3) Required impact statement. Unless specifically exempted, the developer shall submit an impact statement containing at least the following pertinent information to the Zoning Administrator:

- (a) Anticipated kinds of commercial and industrial development and the projected employment;
- (b) Volume and nature of projected traffic;
- (c) Sewage generation and treatment; and
- (d) Drainage facility and system requirements.

(4) Notice of Public Hearing

(1) Notices of Public Hearing are required to be sent to property owners within 250 feet of proposed developments and zoning decisions regarding specific parcels at the expense of the applicant

(2) A Notice of Public Hearing sign is required to be posted at all parcels of proposed developments and zoning decisions in PB – Planned Business Districts

(Prior Code, § 20-912)

(E) Issuance of permits.

(1) General. The Zoning Administrator shall not issue any permit for any proposed development restricted by the special procedures listed under division (D) above until:

(a) The developer has submitted all pertinent information listed in division (D) above;

(b) The Planning Commission has reviewed the proposed development and has found that said proposed development complies with the provisions of division (D) above;

(c) The Village Board of Trustees has acted on the Planning Commission's recommendation, and has imposed any necessary conditions on a development proposal in order to assure compliance with the provisions of division (D) above; and

(d) The developer has revised his or her proposal as necessary to conform to the conditions imposed by the Board of Trustees.

(2) Issuance of certificate of occupancy. The Zoning Administrator shall not issue a certificate of occupancy for a development in the PB District until such development has been substantially completed in accordance with the approved development plan.

(3) Minor changes to approved plans. Minor changes in approved development plans may be made provided that said plans are reviewed by the Planning Commission to assure compliance with the terms of division (D) above.

(4) Duration of approval. The approval of any proposed development within the Planned Business District shall be invalid one year after approval by the Board of Trustees

unless the development, as submitted and approved, has been substantially implemented by the developer.

(Prior Code, § 20-913)

(F) Outside display of merchandise.

(1) Merchandise displayed outside of any structure within any business district, whether placed on the ground, on a platform or on or in a truck, shall be displayed no less than 30 feet from the front property line.

(2) Exceptions:

(a) Automobile, truck, motorcycle, RV and boat dealerships;

(b) Merchandise displayed between gasoline dispenser pumps at auto service stations;

(c) Lumber yards; and

(d) Rental equipment.

(Prior Code, § 20-914)

(G) Special uses. The following shall be considered special uses in the MR-1 District and allowed only in accordance with § 154.213(A) of this chapter:

(1) Group homes.

(Ord. 1455, passed 6-5-2006; Ord. 1473, passed 11-6-2006; Ord. 1475, passed 11-6-2006; Ord. 1545, passed 4-20-2009; Ord. 1699, passed 3-17-2014; Ord. 1749, passed 4-25-2016; Ord. 1812, passed 3-5-2018; Ord. 1817, passed 4-16-2018; Ord. 1926, passed 9-19-2022; Ord. 1953, passed 2-20-2024)