

VILLAGE OF SWANSEA, ILLINOIS

ORDINANCE NO. 1973

AN ORDINANCE AMENDING 154.079: HB – HIGHWAY 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 / 5 / 2024</u> By <u>SKP</u> Initials
Removed <u>11 / 18 / 2024</u> By <u>SKP</u> Initials

VILLAGE OF SWANSEA

ORDINANCE NO. 1973

AN ORDINANCE AMENDING 154.079: HB – HIGHWAY 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 154.079 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SECTION 3: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

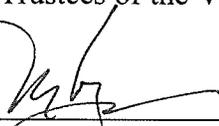
SECTION 4: This ordinance shall be in full force and effect, following its passage, approval and publication in pamphlet form as provided by law.

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 Raffert
TYLER THOMPSON, VILLAGE CLERK

LANTER AJL LEWIS AJL MCDONALD AJL THOUVENOT AJL
NEUMEYER AJL PARKER AJL

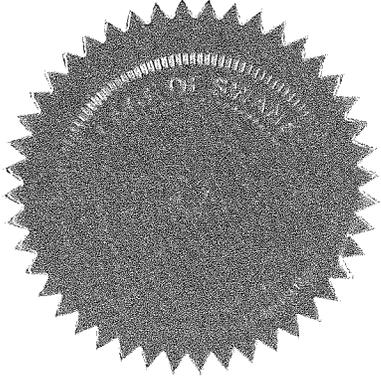
Approved by the President of the Board of Trustees of the Village of Swansea, St. Clair County, Illinois, this 4th day of November 2024.



MICHAEL W. LEOPOLD, PRESIDENT
BOARD OF TRUSTEES

Attest:

Tyler M Thompson By: Jessie Proffitt
TYLER M. THOMPSON, VILLAGE CLERK 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.

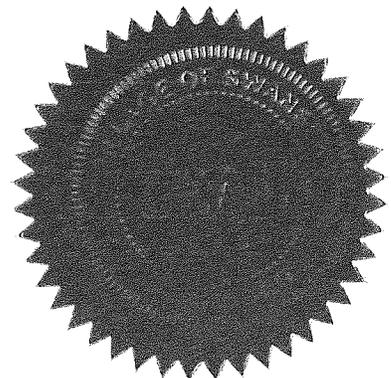
I further certify that on November 4th, 2024 the Corporate Authorities of the Village of Swansea passed and approved Ordinance No. 1973 entitled:

AN ORDINANCE AMENDING 154.079: HB – HIGHWAY BUSINESS DISTRICT REGARDING NOTICE OF PUBLIC HEARING REQUIREMENTS

The pamphlet form of Ordinance No. 1973, 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 Resnik
Tyler M. Thompson, Village Clerk Deputy 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 154.079: HB – HIGHWAY BUSINESS DISTRICT REGARDING
NOTICE OF PUBLIC HEARING REQUIREMENTS**

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

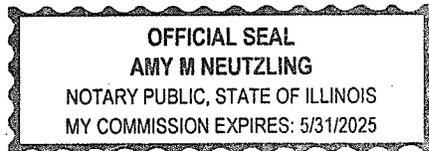
November 5th, 2024, at 10:30 o'clock AM.

Stefanie Proffitt
Written Signature

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

Amy Neutzling
Notary Public

(Notary Seal)



§ 154.079 "HB" - HIGHWAY BUSINESS DISTRICT.

(A) General. The HB Highway Business District is intended to accommodate and regulate strip commercial developments and compatible uses, both retail and wholesale, which draw their patrons primarily from the motoring public. Such uses typically require direct access to major streets and large off-street parking and loading facilities.

(Prior Code, § 20-901)

(B) Permitted uses. Provided all the use restrictions of this district are observed, the following shall be considered permitted uses in the HB District:

- (1) Accounting, bookkeeping and auditing services;
- (2) Agricultural implements; sales and service;
- (3) Ambulance and paramedic services;
- (4) Animal hospitals and clinics;
- (5) Antique stores;
- (6) Apparel stores;
- (7) Appliance stores;
- (8) Architectural and planning services;
- (9) Art galleries, commercial;
- (10) Art and school supply stores;
- (11) Auction rooms or barns;
- (12) Auto accessory stores;
- (13) Auto dealers, new or used;
- (14) Auto driving instruction;
- (15) Auto washing, including the use of mechanical conveyers, blowers and steam cleaning;
- (16) Auto renting facilities;
- (17) Auto service stations;
- (18) Auto undercoating and rustproofing services;
- (19) Bakeries, wholesale;
- (20) Banks, Savings and Loans, and other financial institutions;

- (21) Bars, taverns, and lounges;
- (22) Barber and hairstyling shops;
- (23) Beauty parlors;
- (24) Beverages, nonalcoholic, bottling and distributing;
- (25) Bicycle stores; sales, rental and repair;
- (26) Boat sales, repair and services;
- (27) Book and stationery stores;
- (28) Bowling alleys;
- (29) Building materials and products; sales and storage;
- (30) Building trades showrooms and shops;
- (31) Business and office machine sales and services;
- (32) Business Condominiums, requirements of § 154.079 need to be met;
- (33) Bus passenger stations;
- (34) Camera stores;
- (35) Camper sales;
- (36) Candy and confectionery stores;
- (37) Catering establishments;
- (38) China and glassware stores;
- (39) Churches, chapels, temples and synagogues;
- (40) Clothing and costume rental;
- (41) Clubs and lodges;
- (42) Contractors; offices and shops;
- (43) Convenience stores;
- (44) Cosmetics;
- (45) Dairy products stores;
- (46) Dance/performing arts studios;
- (47) Department stores;
- (48) Detective agencies;

- (49) Drapery stores;
- (50) Dressmaking;
- (51) Dry cleaners and laundromats;
- (52) Dry goods stores;
- (53) Drug stores;
- (54) Dwelling, single-family;
- (55) Electrical repair services;
- (56) Employment agencies;
- (57) Engineering and surveying services;
- (58) Equipment rental and leasing services;
- (59) Extermination services;
- (60) Fast-food or drive-in restaurants;
- (61) Farmers co-ops;
- (62) Floor covering stores;
- (63) Floral shops;
- (64) Funeral parlors;
- (65) Furniture stores;
- (66) Garages, public;;
- (67) Gift shops;
- (68) Glass cutting and glazing establishments;
- (69) Governmental uses of the village;
- (70) Grocery stores;
- (71) Gymnasiums, health clubs, and spas;
- (72) Hardware stores;
- (73) Hobby shops;
- (74) Home appliance stores, repair shops;
- (75) Ice cream stores;
- (76) Indoor movie theaters;

- (77) Indoor tennis or racquetball clubs;
- (78) Insurance agencies;
- (79) Jewelry stores;
- (80) Laboratories; medical, dental, or optical;
- (81) Landscaping services;
- (82) Lithographers;
- (83) Leather goods and luggage stores;
- (84) Locksmiths;
- (85) Machinery sales and services;
- (86) Mail order houses;
- (87) Martial arts studios;
- (88) Meat markets;
- (89) Medical and dental clinics, supplies;
- (90) Messenger and telegraph services;
- (91) Mobile and manufactured home sales;
- (92) Model homes and garage displays;
- (93) Monument sales;
- (94) Motels;
- (95) Motor vehicle repair and servicing facilities;
- (96) Motorcycle sales;
- (97) Music stores;
- (98) Newspaper and periodical publishers;
- (99) Notions stores;
- (100) Nurseries and greenhouses;
- (101) Office supply and stationery stores;
- (102) Offices including medical, dental, legal, optical philanthropic, charitable, fraternal, not-for-profit, and other such services;
- (103) Package liquor stores;

- (104) Paint and wallpaper stores;
- (104) Painting and decorating businesses;
- (106) Parking lots and garages;
- (107) Parks and playgrounds;
- (108) Payday loan establishments;
- (109) Pet shops or animal hospitals in an enclosed building;
- (110) Photography, commercial studio;
- (111) Police or fire stations;
- (112) Post offices;
- (113) Public libraries, art galleries, and museums;
- (114) Radio and television stations;
- (115) Radio, television, and stereo sales;
- (116) Real estate agencies;
- (117) Record stores;
- (118) Recording or sound studios;
- (119) Recreational and community centers;
- (120) Recreational vehicle sales;
- (121) Rectories, parsonages, and parish houses;
- (122) Repair shops; shoes and clothing;
- (123) Restaurants;
- (124) Sharpening and grinding businesses;
- (125) Shoe stores;
- (126) Sporting goods stores;
- (127) Swimming pools, public or private;
- (128) Tailors;
- (129) Taxicab garages;
- (130) Telephone exchange and equipment buildings;

(131) Temporary buildings or trailers for construction purposes and for a period not to exceed the period of construction;

(132) Tennis clubs and courts, outdoors;

(133) Tire, battery, and other motor vehicle accessory services;

(134) Tobacco shops;

(135) Toy stores;

(136) Trailer sales and rentals (house trailers);

(137) Travel agencies;

(138) Variety stores;

(139) Veterinary clinics;

(140) Video Stores, rental and sales;

(141) Accessory uses, buildings, and structures in accordance with § 154.056.

(C) Special uses. Provided, all the use restrictions of this district are observed, the following shall be considered special uses in the HB District and allowed only in accordance with § 154.213(A) of this chapter:

(1) Amusement establishments;

(2) Athletic fields;

(3) Arboretums or botanical gardens;

(4) Arcades or amusement halls;

(5) Archery ranges;

(6) Billiard and pool halls;

(7) Business, art, dance or commercial schools;

(8) Colleges, junior colleges, and universities;

(9) Convalescent homes, nursing homes, homes for the aged, homes for the ill or physically infirm, intermediate care facilities, sheltered care facilities, skilled nursing homes, and specialized living accommodations;

(10) Day care centers, nursery schools, and pre-schools;

(11) Development less than 175 feet from any public school;

(12) Dormitories;

(13) Dwelling, multiple-family;

- (14) Elementary and Jr. high schools;
- (15) Fairgrounds and exhibition grounds;
- (16) Federal, state, county or municipal garages;
- (17) Forest preserves;
- (18) Gaming establishments;
- (19) Golf courses; public and private;
- (20) Golf driving ranges;
- (21) Governmental uses other than those of the village;
- (22) Greenhouses;
- (23) High schools;
- (24) Historic sites;
- (25) Hookah lounges;
- (26) Hospitals;
- (27) Hotels;
- (28) Indoor skating rinks;
- (29) Independent living facility;
- (30) Kennels;
- (31) Kiddie parks;
- (32) Meeting halls;
- (33) Massage establishments (as defined), in accordance with this chapter;
- (34) Miniature golf courses;
- (35) Mobile classrooms, temporary;
- (36) Motels;
- (37) Racetracks;
- (38) Seminaries, monasteries, convents, and retreat houses;
- (39) Shooting ranges;
- (40) Stadiums and auditoriums;
- (41) Tattoo and body-piercing establishments.

- (42) Telecommunication facilities;
- (43) Towing services;
- (44) Transit or transportation facilities;
- (45) Utility substations in accordance with Section 20-416;
- (46) Vocational schools;
- (47) Warehousing and storage;
- (48) Wholesale businesses;
- (49) Cannabis dispensaries;
- (50) Group homes.

(D) Area/bulk restrictions. The following area/bulk restrictions shall apply to all buildings or structures in the HB District.

(1) Minimum lot size.

- (a) Lot area: 18,000 square feet;
- (b) Lot width: 120 feet; and
- (c) Lot depth: 150 feet.

(2) Minimum setbacks.

- (a) From front lot line: 30 feet;
- (b) From either side lot line: 20 feet; and
- (c) From rear lot line: 25 feet.

(3) Maximum building height. Three stories, with a maximum height of 50 feet.

(Prior Code, § 20-904)

(E) Parking regulations. Off-street parking shall be provided for every use in the HB District in accordance with the provisions of §§ 154.115 through 154.133 of this chapter.

(Prior Code, § 20-905)

(F) Sign regulations. Any sign erected in the HB District shall conform to the provisions of §§ 154.145 through 154.158 of this chapter.

(Prior Code, § 20-906)

(G) Supplemental regulations. The purpose of this section is to provide visual buffers and reduce the negative effects associated with accessory functions of business establishments, which may be detrimental to other property values in the immediate area. Accessory

functions can include, but not be limited to, outside storage, outside repairs and outside displays of merchandise. Proper screening of refuse containers and outside storage areas can reduce the unsightliness associated with these areas. Also, visual screening between commercial and residential districts helps ease the transition from one district to the next. Overall, these regulations are intended to make commercial properties more aesthetically pleasing to all adjacent properties and the motoring public.

(1) Repairs indoors. All repair and maintenance services shall be conducted completely within enclosed structures.

(2) Outside storage. Outside storage areas may be open to the sky, but shall be enclosed by a wall or solid fence at least eight feet high.

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

(4) Refuse containers. All refuse generated by facilities located within this district shall be stored in tightly-covered containers placed in visually-screened areas and in accordance with the following provisions Exception: containers used for paper recycling are not required to be placed within visually screened areas.

(a) The standard refuse container required by this chapter shall be a receptacle of impervious material and sturdy construction, with a tight-fitting cover and equipped with handles properly placed to facilitate handling.

(b) The occupant of every building, structure or premises used or maintained in connection with any business or occupation, shall provide and maintain in good condition and repair a sufficient number of refuse containers for the temporary storage of all refuse accumulating between collections.

(c) It shall be the duty of the occupant of every building, structure or premises used or maintained in connection with any business or occupation, to cause to be removed, at his or her own cost and expense, at least once each week, all refuse produced therein.

(d) Every person owning or controlling any hotel, restaurant, café or retail food establishment where more than 32 gallons of refuse is normally produced each week shall cause all garbage to be placed in sanitary refuse containers and shall cause all substances deposited in such containers to be removed daily from his or her premises and to be disposed of at his or her own expense.

(5) Screening. Along the side and rear lot lines of any business use which abut a residential district, screening shall be installed in the form of a wall, solid fence or closely-planted shrubbery, which is at least six feet high and which completely blocks the view from the adjacent residential property.

(Prior Code, § 20-907)

(H) Special regulations, business condominiums.

(1) Business condominiums shall be required to conform to all of the area bulk restrictions contained in division (D) above. The minimum lot size shall be determined by measurements of the lot upon which the structure shall be situated. Minimum setbacks shall be determined from the location of the building structure upon the building lot. Private ownership of individual portions of a building shall in no way effect minimum setback requirements for that lot.

(2) All uses which occupy a building condominium unit must be in conformity with division (B) above, reflecting permitted uses in a Highway Business District or may be special uses permitted under division (C) above; provided, however, that, all procedures and requirements of the Land Development Code with regard to special uses have been complied with.

(3) The developer of a business condominium unit shall submit a maintenance agreement, which shall be signed by each individual owner of any unit within the condominium complex. Said maintenance agreement shall provide for cooperative maintenance of all common areas including parking areas so as to ensure for the future maintenance of the business condominium.

(I) 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 for Special Uses

(2) A Notice of Public Hearing sign is required to be posted at all parcels of proposed Special Uses in HB – Highway Business

(Prior Code, § 20-908)

(Ord. 1464, passed 8-7-2006; Ord. 1473, passed 11-6-2006; Ord. 1699, passed 3-17-2014; Ord. 1874, passed 12-2-2019; Ord. 1876, passed 1-6-2020; Ord. 1953, passed 2-20-2024)