



REPORT TO PLANNING COMMISSION

CITY OF COLLINSVILLE

APPLICATION NUMBER(S)	TA 25-03
APPLICATION NAME:	Sidewalk Sales and Displays (Text Amendment)
APPLICANT NAME:	City of Collinsville 125 South Center Street Collinsville, IL 62234
APPLICANT'S REQUEST:	A City-initiated request for approval of amendments to Title 17 (Zoning) in relation to sidewalk sales and displays in Uptown Collinsville.
COMMISSION MEETING DATE:	April 3, 2025
CASE MANAGER:	Caitlin Rice, AICP, Senior Planner
RECOMMENDATION:	APPROVAL

REQUEST

The City of Collinsville has initiated a request to amend the following sections of *Title 17—Zoning of the City's Code of Ordinances* as it relates sales and displays on public sidewalks in Uptown Collinsville. The intent of this amendment is to provide an avenue for Uptown Business's to display merchandise or signage on the public sidewalks in front of their business' following sections are proposed to be amended or created:

- *Section 17.060.076. Sidewalk Sales and Displays*
- *Section 17.040.250. Uptown Collinsville District*

BACKGROUND

The City is seeking to adopt a Text Amendment that will revise the Zoning ordinance to provide a permit process for Uptown Collinsville businesses to conduct sales or display merchandise and signage on City sidewalks. Uptown Collinsville is a historic main street with a majority of buildings flush with City right-of-way. This leaves little to no room in front of businesses to have displays without encroaching on the public sidewalk. Many historic main streets, especially in warmer seasons, or tourist locations, will permit businesses to display items such as clothes racks, furniture, signage etc., on the sidewalk in front of the business to drum up interest in the wares and attract customers. Currently, Uptown Businesses do not have this option with the City's regulations. The City has a Seasonal Temporary Use Permit application that permits outdoor seasonal sales or events, but must be located on private property. The City also has Outdoor Event applications, for larger scale events that may involve multiple businesses or closure of streets such as parades, festivals etc. The proposed amendments will permit Uptown businesses to display merchandise for four (4) separate events at up to one (1) week intervals through the calendar year, as well as during public events on Main Street (Horseradish Festival, Italian Fest, etc), on an individual basis. The proposed amendments will also permit businesses to apply for an A-Frame sign to be placed on the City sidewalk for longer periods of time.

Staff conducted research of municipalities in the region with similar historic Main Streets and their regulations for sidewalk displays and signage. Through this research, staff found that most communities accommodate displays, sales and signage on public right-of-way with varying conditions.

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ZONING ANALYSIS

Sec. 17.150.090. - Amendments to text.

When a proposed amendment would result in a change in the text of these regulations, but would not result in a change of zoning classification of any specific property, the recommendation of the Planning Commission shall contain a statement as to the nature and effect of such proposed amendment and determination as to the following items:

A. Whether such change is consistent with the intent and purpose of these regulations.

The proposed text amendment furthers the intent and purpose of the City's Zoning Ordinance ([Section 17.010—Title and Intent](#)), specifically:

- *To promote the health, safety, quality of life, comfort and general welfare of the City and its planning area, which includes the area within the City corporate limits and unincorporated territory lying outside the City forming the total community of which Collinsville is a part;*
- *To preserve and protect property values throughout the City and its planning area;*
- *To regulate and restrict the location and use of structures and land within each district and zone;*
- *To lessen or avoid congestion in public streets and rights-of-way.*

Staff finds that based on the above criteria, the proposed amendments to Title 17 Zoning will further the intent of the City's Zoning Ordinance.

B. The areas which are most likely to be directly affected by such change and in what way they will be affected.

The proposed text amendment to Title 17 impacts Uptown Collinsville businesses. Below is a summary of the substantive amendments proposed. The full ordinance can be seen in Exhibit A.

Summary of Substantive Amendments Proposed for Title 17:

Section 17.060.076.—Sidewalk sales and displays

The proposed amendment adds a new section directly after Section 17.060.075.—Sidewalk Dining. Below is the proposed amendment:

Section 17.060.076.—Sidewalk sales and displays

Sidewalk sales and displays of merchandise or signage shall be allowed on public property within the Uptown area, as an accessory use, subject to first obtaining a Sidewalk Sales and Display Permit from the City, according to the following restrictions, limitations and standards.

A. Sidewalk sales area and display of merchandise.

1. *The applicant must be an existing, licensed or registered business within the City of Collinsville and in good standing with the City, County, and State.*
2. *The merchandise displayed must be merchandise from the licensed/registered retail business. Outside vendors are not permitted.*
3. *The area devoted to merchandise display/sales on the public sidewalk shall be immediately adjacent to its current operated retail business within the Uptown area.*
4. *A minimum of three (3) foot wide passageway shall be left accessible for pedestrians. No merchandise shall be displayed within six (6) feet of the curb line of the street.*
5. *The sidewalk sale or display shall be conducted in such a manner as not to create a nuisance, sight visibility for traffic and pedestrians or a fire hazard.*



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6. All merchandise displayed or offered for sale shall be displayed in a secure manner so as not to threaten the safety of any pedestrians.
7. No tobacco products, vape products, cannabis paraphernalia, alcohol, etc. shall be permitted to be displayed, sold, or sampled on public sidewalks through this permit.
8. Temporary sidewalk merchandise display/sales shall be permitted during any City-approved public event in the Uptown area. Outside of City-approved events, temporary sidewalk displays/sales shall be permitted up to four (4) times per year. Business owners must obtain a sidewalk display/sales permit for all such outdoor sales or display of merchandise before the use is permitted. The approved permit shall be valid only for a consecutive seven (7) day period applied for during a calendar year.
9. Such merchant shall provide evidence of public liability insurance and comprehensive property damage insurance including the City and its employees as an additional insured and insuring the City against any liability resulting from the uses permitted herewith. The coverage shall not be less than \$1,000,000.00 per occurrence or accident resulting in bodily injury to or death of a person.
10. All merchandise sold in conjunction with a Sidewalk Sales and Display event shall be subject to all applicable taxes and shall be reported with sales occurring within the retail establishment.
11. A permit fee as per Title 4 – Fees and Fines accompanied by a completed application must be submitted by the participating merchant.

B. Signage displays on sidewalk.

1. One (1) freestanding, double faced A-Frame sign shall be permitted to display on the public sidewalk per business in the Uptown area.
2. Sign shall not exceed six (6) square feet per side, three (3) feet in height and two (2) feet in width.
3. Sign must be located no more than fifteen (15) feet of the entrance of the associated business and not located in front of any other business.
4. Sign shall not impede the normal and orderly flow of pedestrian traffic and shall not obstruct the accessible route. A clear passage of at least three (3) feet between the sign, building or any obstruction on the sidewalk shall be maintained.
5. Sign shall be removed each day at close of business and shall only be displayed during open hours for the business
6. Owner shall provide evidence of public liability insurance and comprehensive property damage insurance including the City and its employees as an additional insured and insuring the City against any liability resulting from the uses permitted herewith. The coverage shall not be less than \$1,000,000.00 per occurrence or accident resulting in bodily injury to or death of a person.
7. A permit fee as per Title 4 – Fees and Fines accompanied by a completed application must be submitted by the participating merchant.

The proposed section permits and regulates sidewalk sales and displays of merchandise as well as signage. Per item A. in order to display merchandise on the City sidewalk, the business must be in good standing with the City (current business license, taxes, approved occupancy etc). The merchandise must belong to the business and be displayed in a manner that is safe, secure and does not inhibit a minimum three (3) foot accessible path on the sidewalk. This section also requires insurance filed with the City listing the City as additional insured, and restricts the number of display periods to four (4) times per calendar year, in one week intervals, in addition to all public events. The proposed display times will be applied for and reviewed by staff through the permit application.

Per Item B., A-frame signage will be permitted to display on the public sidewalk through a permit process. Currently, the City technically does not have a mechanism to permit signage on the right-of-way, although many businesses utilize this method. In order to safely accommodate this need, Item B. requires a permit and a certificate of insurance to ensure protection if an accident were to occur, same as displays of merchandise or sidewalk dining. Only one sign per business will be permitted by this ordinance and must be returned inside after business hours.

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Summary of Substantive Amendments Proposed for Title 17: *Section 17.040.250.I.16 Outdoor display and storage*

16. Outdoor display and storage.

- a. Permanent and long-term outdoor displays or storage of inventory or product shall not be permitted in this district.***
- b. Temporary outdoor displays of merchandise on the City sidewalk shall receive a permit from the Community Development Department as per Section 17.060.076. – Sidewalk displays and sales.***

The second amendment to Title 17 includes a minor amendment to Section 17.040.250. “UCD “ Uptown Collinsville District I. Supplemental standards. Item 16.b currently reads “*Special sales or events shall receive a temporary use permit from the Community Development Department*”. The amendment clarifies that temporary displays of merchandise require a permit and must follow the new section, Sidewalk displays and sales. As the current 16.b. reads, it is interpreted as a Seasonal Temporary Use Permit, which is utilized for events/sales on private property. Amending this section will make it clear that displays/sales on public sidewalk may be permissible under certain conditions. The opportunity for Seasonal Temporary Use Permits will still apply as those are permissible throughout all City limits.

C. Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and zoning districts affected, or in the area of jurisdiction of such changed or changing conditions.

Staff is pursuing the proposed text amendment to amend the City’s Code of Ordinance to provide a reasonable accommodation for Uptown businesses who are at a disadvantage to other businesses in Collinsville due to the proximity to public right-of-way. Other business in Collinsville are eligible to apply for outdoor events, displays etc. on private property, where most businesses in Uptown do not have the space. The proposed amendment will also hopefully provide a more engaging Main Street for visitors and customers through added visual interest. By allowing business the opportunity to display on the public sidewalk, it may encourage visitors to walk and explore Main Street and visit more businesses. Other similar municipalities do have this option, and the proposed amendment will allow Collinsville to be more flexible like other historic Main Streets.

Strategic Plan Goals Achieved by the Proposed Text Amendment:

Achieve Strategic Plan Goal #3 Encourage Tourism and Economic Development

The proposed amendment will achieve this Strategic Plan goal by updating the zoning ordinance to provide more marketing and engagement opportunities for Uptown Businesses, and hopefully spur more draw and interest to visitors.

RECOMMENDATION

<p>Staff finds that the proposed text amendments meets or exceeds the review criteria for zoning text amendments. Further, staff finds that the proposed text amendment advances the intent of the City’s Zoning Ordinance. Based on these findings, staff recommends ‘Approval’ of Text Amendment Application TA 25-03 Sidewalk sales and displays.</p>
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EXHIBITS

A.DRAFT ORDINANCE

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EXHIBIT A: DRAFT ORDINANCE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
TITLE 17 (ZONING) OF THE CODE OF ORDINANCES
OF THE CITY OF COLLINSVILLE, ILLINOIS AS IT RELATES TO
SIDEWALK SALES AND DISPLAYS**

WHEREAS, the City of Collinsville, Illinois, a home rule municipality (hereinafter the "City"), has enacted Municipal Code regulations for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLINSVILLE as follows:

Section 1. Section 17.060.076. – Sidewalk sales and displays of Title 17 (Zoning) of the Code of Ordinances of the City of Collinsville, Illinois, shall be added as follows:

Sec. 17.060.076. – Sidewalk sales and displays

Sidewalk sales and displays of merchandise or signage shall be allowed on public property within the Uptown area, as an accessory use, subject to first obtaining a Sidewalk Sales and Display Permit from the City, according to the following restrictions, limitations and standards.

A. Sidewalk sales area and display of merchandise.

1. The applicant must be an existing, licensed or registered business within the City of Collinsville and in good standing with the City, County, and State.
2. The merchandise displayed must be merchandise from the licensed/registered retail business. Outside vendors are not permitted.
3. The area devoted to merchandise display/sales on the public sidewalk shall be immediately adjacent to its current operated retail business within the Uptown area.
4. A minimum of three (3) foot wide passageway shall be left accessible for pedestrians. No merchandise shall be displayed within six (6) feet of the curb line of the street.
5. The sidewalk sale or display shall be conducted in such a manner as not to create a nuisance, sight visibility for traffic and pedestrians or a fire hazard.
6. All merchandise displayed or offered for sale shall be displayed in a secure manner so as not to threaten the safety of any pedestrians.



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7. No tobacco products, vape products, cannabis paraphernalia, alcohol, etc. shall be permitted to be displayed, sold, or sampled on public sidewalks through this permit.
 8. Temporary sidewalk merchandise display/sales shall be permitted during any City-approved public event in the Uptown area. Outside of City-approved events, temporary sidewalk displays/sales shall be permitted up to four (4) times per year. Business owners must obtain a sidewalk display/sales permit for all such outdoor sales or display of merchandise before the use is permitted. The approved permit shall be valid only for a consecutive seven (7) day period applied for during a calendar year.
 9. Such merchant shall provide evidence of public liability insurance and comprehensive property damage insurance including the City and its employees as an additional insured and insuring the City against any liability resulting from the uses permitted herewith. The coverage shall not be less than \$1,000,000.00 per occurrence or accident resulting in bodily injury to or death of a person.
 10. All merchandise sold in conjunction with a Sidewalk Sales and Display event shall be subject to all applicable taxes and shall be reported with sales occurring within the retail establishment.
 11. A permit fee as per Title 4 – Fees and Fines accompanied by a completed application must be submitted by the participating merchant.
- B. Signage displays on sidewalk.
1. One (1) freestanding, double faced A-Frame sign shall be permitted to display on the public sidewalk per business in the Uptown area.
 2. Sign shall not exceed six (6) square feet per side, three (3) feet in height and two (2) feet in width.
 3. Sign must be located no more than fifteen (15) feet of the entrance of the associated business and not located in front of any other business.
 4. Sign shall not impede the normal and orderly flow of pedestrian traffic and shall not obstruct the accessible route. A clear passage of at least three (3) feet between the sign, building or any obstruction on the sidewalk shall be maintained.
 5. Sign shall be removed each day at close of business and shall only be displayed during open hours for the business

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6. Owner shall provide evidence of public liability insurance and comprehensive property damage insurance including the City and its employees as an additional insured and insuring the City against any liability resulting from the uses permitted herewith. The coverage shall not be less than \$1,000,000.00 per occurrence or accident resulting in bodily injury to or death of a person.
7. A permit fee as per Title 4 – Fees and Fines accompanied by a completed application must be submitted by the participating merchant.

Section 2. Section 17.040.250.I.16. Outdoor display and storage of Title 17 (Zoning) of the Code of Ordinances of the City of Collinsville, Illinois, shall be amended as follows:

16. Outdoor display and storage.

- a. Permanent and long-term outdoor displays or storage of inventory or product shall not be permitted in this district.
- b. Temporary outdoor displays of merchandise on City sidewalk shall receive a permit from the Community Development Department as per Section 17.060.076. – Sidewalk displays and sales.

Section 3. In the event any section or provision of this Ordinance shall be held unconstitutional or invalid by any Court, in whole or in part, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance, other than the part held unconstitutional or invalid.

Section 4. All ordinances, or parts thereof, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of their inconsistencies.

Section 5. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant, or otherwise nullify any other ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

Section 6. This Ordinance is effective upon its passage by the City Council, approval by the Mayor, and publication according to law.

PASSED by the City Council and Approved by the Mayor this ____ day of _____ 2025.