

**ORDINANCE NO. 19-O-22**

**AN ORDINANCE AMENDING TITLE 17, ZONING, OF THE ROUND LAKE MUNICIPAL CODE PROHIBITING MEDICAL AND ADULT USE CANNABIS BUSINESS ESTABLISHMENTS**

**WHEREAS**, the Village of Round Lake submitted a petition to amend various Sections of Round Lake's Zoning Code; and

**WHEREAS**, Section 17.112.040 of the Round Lake Zoning Code provides that proposed text amendments to the Zoning Code must be heard at a public hearing before the Plan Commission/Zoning Board of Appeals; and

**WHEREAS**, the Plan Commission/Zoning Board of Appeals held a public hearing on October 29, 2019 and recommends with a 4 to 1 vote to prohibit medical and adult use cannabis businesses; and

**WHEREAS**, the Village President and Village Board of Trustees have reviewed the documents pertinent to the petition and the findings of the Plan Commission/Zoning Board of Appeals and finds that the standards for a text amendment as set out in the Round Lake's Zoning Code have been met and that the requisite public notice and hearing has been completed in conformity with the Round Lake Village Code; and

**WHEREAS**, this Ordinance is adopted pursuant to the provisions of the Illinois Cannabis Regulation and Tax Act, Public Act 101-0027, which provides that the Village has the authority to prohibit adult use cannabis business establishments; and

**WHEREAS**, the Village has determined that the operation of cannabis business establishments would present adverse impacts upon the health, safety and welfare of the residents, and additional costs, burdens and impacts upon law enforcement and regulatory operations of the Village; and

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of Round Lake, Lake County, Illinois, as follows:

**SECTION ONE:** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**SECTION TWO:** That Title 17, of Round Lake's Municipal Code, as amended, is hereby further amended with subtractions in strikethrough text and additions in bold underlined text, so that the same shall be read as follows:

17.04.040 – Rules and definitions.

~~"Cultivation center" means a facility operated by an organization or business that is registered by the department of agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.~~

~~"Medical cannabis dispensing organization," or "dispensing organization," or "dispensary organization" means a facility operated by an organization or business that is registered by the department of financial and professional regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.~~

#### ~~17.12.310 – Medical cannabis facilities.~~

##### ~~A. – Regulations Related to Cultivation Centers.~~

- ~~1. – A registered cultivation center shall not be located within two thousand five hundred (2,500) feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use. For purposes of the foregoing, a day care center, day care home, group day care home, or part day child care facility is considered "pre-existing" if it has been licensed to operate as such by the State of Illinois.~~
- ~~2. – Each cultivation center shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto.~~

##### ~~B. – Regulations Related to Medical Cannabis Dispensing Organizations.~~

- ~~1. – Minimum Distance from Protected Uses. A dispensary organization shall not be located in a house, apartment, condominium, or an area zoned for residential use, nor shall a dispensary organization be located within one thousand (1,000) feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. For purposes of the foregoing, a day care center, day care home, group day care home, or part day child care facility is considered "pre-existing" if it has been licensed to operate as such by the State of Illinois.~~
- ~~2. – Measurement. For the purposes of subparagraph (B)(1) of Section 17.12.310, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point of the exterior wall of the applicable dispensary organization to the nearest point of the property line of any protected use (as identified in subparagraph (B)(1) of Section 17.12.310).~~
- ~~3. – Compliance with State Regulations and Rules. All dispensary organizations shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto.~~
- ~~4. – Parking.~~

- a. ~~Parking shall be located in an area which is visible from a public road or a private road that is accessible to the public. It cannot be screened from the roadway with vegetation, fencing or other obstructions.~~
  - b. ~~Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by the dispensary organization staff and are continually recorded in a tamper proof format.~~
5. ~~Exterior Display. No dispensary organization shall be maintained or operated in a manner that causes, creates or allows the public viewing of medical cannabis, medical cannabis infused products or cannabis paraphernalia or similar products from any sidewalk, public or private right of way or any property other than the lot on which the dispensary is located. No portion of the exterior of the dispensary organization shall utilize or contain any flashing lights, search lights or spot lights or any similar lighting system.~~
6. ~~Signage and Advertising.~~
- a. ~~All commercial signage for a dispensary organization shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, not to exceed two square feet in area, and such signs shall not be directly illuminated.~~
    1. ~~The wall sign not to exceed ten square feet in area shall contain only commercial messages which are strictly applicable to the use of the premises on which it is located, including messages indicating the business transacted, principal services rendered, goods sold or produced on the premises, or the name of the business occupying the premises.~~
    2. ~~The identifying sign not to exceed two square feet in area shall only include the dispensary organization's address.~~
  - b. ~~Exterior signs on the dispensary building shall not obstruct the entrance or windows on the dispensary.~~
  - c. ~~Electronic message boards and temporary signs are not permitted in connection with a dispensary.~~
  - d. ~~Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth, or language referencing cannabis.~~
  - e. ~~A sign shall be posted in a conspicuous place at or near all dispensary entrances and shall include the following language: "Only cardholders, designated caregivers, and staff may enter these premises. Persons under the age of 18 are prohibited from entering." The required text shall be no larger than one inch in height.~~
7. ~~Drug Paraphernalia Sales. Dispensary organizations that display or sell drug paraphernalia shall do so in compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 et seq.) and the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), including all rules and regulations adopted in accordance thereto.~~
8. ~~Age and Access Limitations. Each dispensary organization shall prohibit any person who is not at least eighteen (18) years of age from entering the dispensary facility. Dispensary organizations shall not employ anyone under the age of eighteen (18). Access to the~~

dispensary facility shall be limited exclusively to dispensary staff, cardholders, local and state officials, and those specifically authorized under Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), including all rules and regulations adopted in accordance thereto. For purposes of this subparagraph, "cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Illinois Department of Public Health pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).

9.—Hours of Operation. Dispensary organizations may operate between 6:00 a.m. local time to 8:00 p.m. local time.

10.—Drive Thru Windows. Dispensary organizations may not have a drive-through service.

11.—Security and Video Surveillance.

a.—Each dispensary organization shall provide and maintain adequate security within the dispensary and on the entire exterior portion of the property on which the dispensary exists, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the site from theft.

b.—The dispensary organization's parking area, client entrance, sales area, back room, storage areas and delivery bay and entrance shall be monitored by video surveillance equipment whose live images can be viewed by dispensary staff, as well as by police officers for the Village of Round Lake in the extent and manner determined by the chief of police, and continually recorded in a tamper-proof format.

c.—A sign shall be posted in a prominent location which includes the following language "This area is under live/recorded video surveillance to aid in the prosecution of any crimes committed against this facility or its patrons."

d.—The chief of police shall review the adequacy of lighting, security and video surveillance installations. The chief of police has the discretion to conduct periodic review of security features as appropriate.

e.—Each dispensary organization shall report all criminal activities occurring on the property to the applicable law enforcement agency immediately upon discovery.

f.—Deliveries shall occur between 7:00 a.m. local time and 9:00 p.m. local time within a secure enclosed delivery bay and shall not be visible from the exterior of the facility.

12.—Conduct on Site.

a.—Loitering is prohibited on the dispensary organization's property.

b.—It shall be prohibited to consume cannabis products in the dispensary organization or anywhere on the site occupied by the dispensary organization. A sign, at least eight and one-half (8.5) by eleven (11) inches, shall be posted inside the dispensary building in a conspicuous place and visible to a client and shall include the following language: "Smoking, eating, drinking or other forms of consumption of cannabis products is prohibited on dispensary property."

(Ord. No. 14-O-21, § 2, 8-18-2014)

**17.12.310 – Medical and Adult Use Cannabis Business Establishments.**

**All Medical and Adult Use Cannabis Business Establishments are prohibited in the Village. No person shall locate, operate, own, suffer, allow to be operated or aide, abet or assist in the operation within the Village of any of the following establishments as defined in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1) or the Cannabis Regulation and Tax Act, (P.A.101-0027):**

- Medical or Adult Use Cannabis Craft Grower**
- Medical or Adult Use Cannabis Cultivation Center**
- Medical or Adult Use Cannabis Dispensing Organization**
- Medical or Adult Use Cannabis Infuser Organization or Infuser**
- Medical or Adult Use Cannabis Processing Organization or Processor**
- Medical or Adult Use Cannabis Transporting Organization or Transporter**

17.48.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this title, for other than one or more of the following specified uses:

- A. Retail businesses, which supply commodities on the premises:  
~~17. Medical cannabis dispensing organization;~~

17.52.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Retail businesses, which supply commodities on the premises:  
~~17. Medical cannabis dispensing organization;~~

17.56.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Retail businesses, which supply commodities on the premises:  
~~9. Medical cannabis dispensing organization;~~

17.60.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

A. Retail businesses, which supply commodities on the premises:

~~6. Medical cannabis dispensing organization;~~

17.64.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

A. Retail businesses, which supply commodities on the premises:

~~1. Medical cannabis dispensing organization;~~

17.68.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, used, except as otherwise provided in this chapter, for other than one or more of the following specified uses, and for uses provided for in subsections A and B all manufacturing:

~~D. Other uses:~~

~~1. Medical cannabis dispensing organization.~~

17.68.040 - Special uses.

~~K. Cultivation center.~~

17.72.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

~~D. Other uses:~~

~~1. Medical cannabis dispensing organization.~~

**SECTION THREE:** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

**SECTION FOUR:** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

**APPROVED:**



\_\_\_\_\_  
Daniel A. MacGillis, Village President

**ATTEST:**



\_\_\_\_\_  
Deborah Perlini, Village Clerk

PASSED: December 2, 2019  
APPROVED: December 2, 2019  
AYES: Trustees Foy, Frye, Kraly, Newby, Patel  
NAYS: Trustee Mandelman  
ABSENT: None

PUBLISHED IN PAMPHLET FORM: December 2, 2019

October 29, 2019

Mayor and Members of the Board of Trustees  
Village of Round Lake  
442 North Cedar Lake Road  
Round Lake, IL 60073

RE: Village of Round Lake Plan Commission/Zoning Board of Appeals  
Recommendation Regarding Petition for a Text Amendment to Prohibit Medical Cannabis  
Dispensaries, Cannabis Cultivation Centers and Adult Use Cannabis Businesses

Village of Round Lake (Applicant)

### **FINDINGS AND RECOMMENDATIONS**

Pursuant to a published Public Notice of Hearing, on October 29, 2019 at 7:00 p.m., the Plan Commission held a public hearing to consider a Petition for a Text Amendment to the Zoning Code (“Petition”) submitted by the Village Round Lake to consider the zoning of Medical and Adult Use Cannabis Businesses pursuant to Title 17.

Prior to the hearing, the Plan Commission received copies of the Petition.

The Plan Commission finds as follows:

Public Notice of Hearing was given by publication in the Lake County News Sun, a newspaper, and certification of publication was accepted by the Commission, all as provided by ordinance and at the direction of the Zoning Administrator.

The Village Code permits medical cannabis dispensaries in C-1, C-2, C-3, C-4, C-5, I-1, and I-2 and Cultivation Centers are permitted with a special use permit in I-1. The Applicant submitted the Petition to amend the Zoning Code to consider Adult Use Cannabis Businesses in the Village and the continued zoning of Medical dispensaries and Cultivation Centers.

Public comment and questions were invited by the Chairperson. There were several persons in attendance who spoke in favor of the sale of adult use cannabis and cultivation centers as a benefit to the Village with a new tax stream for the Village as well as the medical benefits. There were no written objections and one verbal objection who felt that the possible benefits did not outweigh the adverse effects and dangers to the residents and children in the area. The Commission took into consideration the memorandum prepared by the Director of Economic and Community Development and dated October 29, 2019 a copy of which is attached hereto and made a part hereof.

After closing the public hearing, the Chairperson questioned the Commission as to their thoughts and discussion was had regarding the medical sale of cannabis and the question as to whether or not there can be medical cannabis sales without adult use cannabis sales.

The Plan Commission finds that the medical sale of cannabis cannot be done independently of the adult use and sale of cannabis and the Plan Commission further finds that adopting a text amendment excluding the zoning of medical cannabis and adult use cannabis businesses is in the public interest.

Commissioner Duax made a Motion and Commissioner Monaco seconded to recommend approval of a text amendment removing all portions of text zoning medical cannabis businesses and not to zone adult use cannabis businesses. By a vote of four (4) ayes and one (1) nay, the Plan Commission recommends approval of a text amendment removing all portions of text zoning medical cannabis businesses and not to zone adult use cannabis businesses, subject to any other applicable requirements contained in the Village Code.

**Respectfully submitted,**

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**Kate Kristan,**

**Chairperson of the Plan Commission – Zoning Board of Appeals**

AYES: Daniels, Duax, Lecinski, Monaco  
NAYS: Boyk  
ABSENT: Waller



# Village of Round Lake

442 N. Cedar Lake Road Round Lake, IL 60073  
Ph. 847-546-5400 Fax 847-546-5405  
www.eroundlake.com

DATE: October 29, 2019  
TO: Plan Commission/Zoning Board of Appeals  
FROM: Katie Parkhurst, AICP, Director of Economic and Community Development  
SUBJECT: Case No. 19-05, Amendments to Title 17 Zoning Ordinance

### Summary

Case Number and Title	19-05 Amendments to Title 17 Zoning Ordinance
Petitioner	Village of Round Lake
Zoning Request	Amendments to Zoning Ordinance relating to cannabis businesses

### Introduction

The State of Illinois has enacted the Cannabis Regulation and Tax Act, Public Act 101-0027 (Act), which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis approved June 25, 2019. The Act allows State residents over the age of 21 to possess up to 30 grams of cannabis beginning January 1, 2020. Personal cannabis use will be allowed in most private residences, but not in prohibited areas including any public place or in close physical proximity to underage persons. The Act allows each local government to either prohibit or restrict the cannabis businesses within their community. Pursuant to the Act, the Village may enact reasonable zoning ordinances not in conflict with the Act regulating the cannabis business establishments, including rules adopted governing the time, place, manner and number of cannabis business establishments, and the minimum distance limitation between cannabis establishments and the locations the Village deems sensitive.

The State Department of Agriculture and the State Department of Financial and Professional Regulation will oversee and issue licenses for all cannabis businesses. There are very strict rules to follow on who can apply, the application process, the cost involved, the timing and the number of licenses that will be issued.

Keeping in mind the State of Illinois has made cannabis use legal effective January 1, 2020 it is appropriate to update codes as deemed appropriate to benefit the Village. The Village cannot prohibit the use of cannabis within the Village; therefore, the focus must be on controlling the businesses that grow, produce and sell the product. The Act also allows for the Village to charge an additional sales tax if desired.

### What other municipalities are doing

All local governments are working through what is most appropriate for their community at this time. Of the communities that have already decided it seems fairly split between those that are prohibiting cannabis businesses and those that are allowing them. Staff has gathered information from communities in the region and will provide a list of the results.

### Benefits

**Sales Tax Revenue:** The Village may impose an additional sales tax of up to 3%, which is on top of the 1% sales tax the Village already receives from the State as part of its regular sales tax.

It is hard to predict the revenue which would be generated from a recreational cannabis dispensary. The Village of Addison has a medical cannabis dispensary that generates approximately \$20,000,000 annually, which would provide the Village with \$600,000 annually if there were a 3% sales tax. A report from the Illinois Policy Institute is estimating revenue from the maximum 3% additional sales tax to range anywhere from \$262,000-\$401,000 per dispensary. The Village of Woodridge did a revenue calculation per store estimate. This method uses Colorado's 15% retail sales tax total for 2018 and distributes it evenly amongst their 571 retail locations. This equates to annual sales per store of \$2.1 million. Local taxes are then applied, assuming the Village were to pass the 3% Cannabis Sales Tax in addition to current sales taxes. Under this method, the potential revenue for the Village per retail location is approximately \$100,000.

### Risks

There are potential risks with the legalization of cannabis and with having cannabis businesses in the community. These risks may include: increase in criminal activity, traffic safety, youth safety and adverse health effects on residents. There are also concerns such as community image, increased cost to the Village to manage businesses and the police to mitigate risks.

### Staff Analysis

Staff has gathered information from the Illinois Municipal League, the Lake County Task Force to create a model ordinance, legal counsel, local municipalities and communities in Colorado regarding cannabis businesses and enforcement.

The Village Code currently permits medical cannabis dispensaries in C-1, C-2, C-3, C-4, C-5, I-1, and I-2 and Cultivation Centers are permitted with a special use permit in I-1.

Staff brought adult use recreational cannabis use before the Village Board in July for discussion. The Village Board asked for more information on the impacts of legalization on communities in Colorado, they discussed the impacts for the community, and raised some concerns and benefits. The Village Board did not provide direction to Staff on the desire to allow or prohibit cannabis businesses. The Board did seem in favor of prohibiting on-site consumption of cannabis at businesses.

Staff has received inquiries from a few interested businesses wishing to set up a dispensary or craft grower operation. There is an interest and demand to locate in the region; however, the State will ultimately determine the number of licenses granted.

#### Proposed Code Changes Summary

There are three options for the Plan Commission to consider regarding cannabis businesses, each is further discussed below:

- 1) Prohibit all adult use recreational cannabis businesses.
- 2) Allow cannabis businesses by right in specific zoning districts.
- 3) Allow cannabis businesses with a special use permit in specific zoning districts.

*Prohibit all adult use recreational cannabis businesses.*

The Act allows for municipalities to prohibit all adult use recreational cannabis businesses in the community. Should the Plan Commission recommend and the Village Board approve to prohibit all businesses an ordinance will be prepared as such and the Zoning Ordinance will be updated to state recreational adult use cannabis businesses are prohibited, and retain the medical cannabis regulations that are currently in place.

*Allow cannabis businesses by right in specific zoning districts.*

Should the Plan Commission recommend and the Village Board approve allowing cannabis businesses by right, staff will prepare an ordinance allowing cannabis businesses allowed by right in certain zoning districts. The State licensing requirements will ultimately regulate where and how many cannabis businesses are permitted in the State. The Village ordinance will allow Cannabis Dispensary use in C-1, C-2, C-3, C-4, I-1 and I-2 zoning districts, allow Cannabis Cultivation Centers, Processing Centers, Craft Growers, Infusers, and Transporters in I-1 and I-2 zoning districts, unless otherwise recommended by the Plan Commission.

The Plan Commission can recommend a distance restriction from protected uses, as explained under other considerations, if so desired.

*Allow cannabis businesses with a special use permit in specific zoning districts.*

Staff prepared the changes in the Zoning Ordinance to show allowing cannabis businesses through a special use permit. This will ensure that all the State and Village regulations are met. Each business can be reviewed on a case-by-case basis. Specifically, allow Cannabis Dispensary in C-1, C-2, C-3, C-4, I-1 and I-2 zoning districts with a Special Use Permit, allow Cannabis Cultivation Centers, Processing Centers, Craft Growers, Infusers, and Transporters in I-1 and I-2 zoning districts with a Special Use Permit.

As part of a Special Use Permit additional requirements can be considered and are included in the draft code changes. These items may include:

#### Security Plan

A Special Use request shall include a detailed security plan. This plan may be evaluated as part of the process.

#### Copy of State License

Applicants shall provide a complete copy of their license application to the State. Prior to the issuance of a certificate of occupancy, cannabis businesses shall provide their state license showing that they are allowed to operate.

#### Additional Information as Required by the Village of Round Lake

As part of the Special Use process, the Village may require additional information.

#### Violations

Any cannabis dispensary that violates any provision of the regulations may be subject to the enforcement and revocation process outlined in Village Code.

#### *Other considerations for cannabis businesses*

#### Medical and Recreational Cannabis

Should the Plan Commission and Village Board desire to allow recreational cannabis businesses, then Staff recommends an ordinance that removes all medical cannabis regulations and replaces it with cannabis regulations that cover adult use recreational and medical cannabis.

#### On Premise Consumption

The Village Board was clear that on-site consumption was not going to be allowed. The ordinance will include language to prohibit the consumption of cannabis and cannabis products at all cannabis businesses.

#### Spacing Restrictions

For spacing and location restrictions, the Act requires dispensaries to be 1,500 feet apart from each other. The Village may include distance requirements from protected uses, such as daycares, schools, etc. If distance restrictions are desired, an appropriate distance (250', 500', 1000', etc.) should be discussed and recommended at the Plan Commission meeting. Village Staff will have a mapping tool available at the meeting to understand the implications of distance restrictions.

#### Advertising Restrictions

The Act has restrictions on advertising within 1,000 feet of schools, playgrounds, recreation center or facility, a child care center, a public park or public library or a game arcade. Also, no advertising is permitted on or in public transit vehicle or public transit shelter or on publicly owned or controlled land. This is a different approach from the medical cannabis regulations that had more stringent location restrictions. There are two options for consideration:

- 1) In order to avoid confusion or interpretation concerns regarding advertising and business signage, a 1,000-foot buffer around the protected uses noted above could be required.
- 2) Since all business owners will be well versed in the State regulations limiting signage/advertising, no further restriction on business placement is necessary. The cultivation centers, processors, infusers and the most of the craft growers do not feel

signage is important to their business as they cannot sell to the public and usually would prefer the public not know what is happening in their buildings.

Recommendation

The Plan Commission should conduct the public hearing, gather public comments and make a recommendation to the Village Board regarding cannabis businesses.

Attachments:

Redline changes to Zoning Ordinance

SURVEY OF MUNICIPALITIES  
RECREATIONAL CANNABIS

MUNICIPALITY	BODY	MOST RECENT ACTION	DATE OF ACTION	POSITION
Addison	Plan Commission	Prepare Ordinance	8/14/2019	Permit
Antioch		Voted to allow, sent to PCZBA for Zoning Requirements		Permit
Arlington Heights	Board of Trustees	First Steps Consideration	8/13/2019	Permit
Bannockburn	Board of Trustees	Direct to Plan Commission	7/15/2019	Prohibit
Bartlett	Board of Trustees	Final Consideration	9/17/2019	None
Bloomington	Board of Trustees	Prohibited	9/6/2019	Prohibit
Bolingbrook	Board of Trustees	Prohibited	8/13/2019	Prohibit
Brookfield	Board of Trustees	Direct Permit to Plan Commission		Permit Expected
Buffalo Grove	Board of Trustees	First Steps Consideration	8/5/2019	Permit
Carol Stream	Board of Trustees	First Steps Consideration	8/5/2019	None
Clarendon Hills	Board of Trustees	First Steps Consideration	9/4/2019	Prohibit
Crystal Lake				Permit
Darien	Board of Trustees	Permitted		Permit
Deerfield	Plan Commission	First Steps Consideration	8/22/2019	Prohibit
DeKalb	City Council	First Steps Consideration	9/9/2019	Permit
Des Plaines	City Council	Direct to Plan Commission	9/3/2019	None
Downers Grove	Board of Trustees	Prohibited	9/17/2019	Prohibit
Evanston	City Council	First Steps Consideration	9/16/2019	Permit
Fox Lake		Adopted Tax, determining zoning regs		Permit
Frankfort	Board of Trustees	Prohibited	8/19/2019	Prohibit
Freeport	Plan Commission	First Steps Consideration	10/10/2019	None
Glen Ellyn	Board of Trustees	First Steps Consideration	8/19/2019	None
Glencoe	Board of Trustees	Direct to Plan Commission	9/17/2019	Permit
Grayslake	Board of Trustees	Prohibit Until 1/1/2021	8/6/2019	Prohibit
Hainsville				Prohibit
Highland Park	City Council	Taking No Action	8/12/2019	Permit
Highwood				Permit
Hinsdale	Board of Trustees	Prohibited	9/17/2019	Prohibit
La Grange Park	Board of Trustees	First Steps Consideration	8/27/2019	Prohibit
Lake Barrington	Board of Trustees	Ordinance Drafted	11/12/2019	Prohibition Expected
Lake Bluff	Plan Commission	First Steps Consideration	9/18/2019	Prohibit
Lake Forest	Board of Trustees	Prohibited	7/1/2019	Prohibit
Lake in the Hills	Board of Trustees	First Steps Consideration	8/22/2019	None
Lake Villa				None
Lake Zurich	Board of Trustees	Prepare Ordinance	9/16/2019	Prohibit
Lakemoor		Was on Board agenda to prohibit, but removed from agenda		None
Libertyville	Plan Commission	First Steps Consideration	8/26/2019	Prohibit
Lincolnshire				Prohibit
Lincolnwood	Board of Trustees	Permitted as Special Use	9/3/2019	Permit
Lindenhurst				None Yet
Lisle	Board of Trustees	First Steps Consideration	8/19/2019	None Yet
Lombard	Board of Trustees	Prepare Ordinance	9/19/2019	Permit
Long Grove				Prohibit
Mettawa				Prohibit
Mundelein				Permit
Naperville	City Council	Prohibited	9/3/2019	Prohibit
Niles	Board of Trustees	Prepare Ordinance	9/16/2019	Permit
Northbrook	Plan Commission	First Steps Consideration	9/17/2019	Permit
Oak Brook	Plan Commission	Prohibited	9/16/2019	Prohibit
Oak Brook Terrace	City Council	Permitted	9/10/2019	Permit
Oak Park	Board of Trustees	Permitted as Special Use	9/16/2019	Permit
Oswego	Board of Trustees	First Steps Consideration	9/3/2019	None
Park City				Permit
Park Ridge	City Council	Prepare Ordinance	8/12/2019	Prohibit
Riverside	Board of Trustees	Permitted	9/5/2019	Permit
Rolling Meadows	City Council	Petition by Private Party	8/20/2019	Permit
Round Lake Park		Approved Tax, have not approved dispensaries yet.		None
Schaumburg				Permit
South Beloit	Board of Trustees	Permitted		Permit
South Elgin	Board of Trustees	First Steps Consideration	7/16/2019	Permit
St. Charles	City Council	First Steps Consideration	9/17/2019	Permit
Villa Park	Board of Trustees	Permitted as Special Use	2/11/2019	Permit
Volo	COTW	Sent to PCZBA	10/22/2019	None
Wadsworth	Board of Trustees	Permitted	9/17/2019	Permit
Warrenville	City Council	First Steps Consideration	9/19/2019	None
Wauconda	Board of Trustees	First Steps Consideration	8/13/2019	Permit
Waukegan	Board of Trustees	Permitted	10/21/2019	Permit
Wheaton	City Council	Prohibited	9/16/2019	Prohibit
Wheeling				Permit
Winnetka	Board of Trustees	Public Hearing	9/17/2019	Prohibit
Winthrop Harbor	Board of Trustees	Permitted	9/17/2019	Permit
Zion				Permit
Mchenry County				Permit
Kane County				Prohibit
				Permit
				35
				Prohibit
				25

# Chicago Tribune

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Page 1 of 2

\*Agency Commission not included

Order ID: 6472535

**GROSS PRICE \* : \$40.80**

**PACKAGE NAME: IL Govt Legal Lake County**

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**GROSS PRICE \* :** \$40.80

**PACKAGE NAME:** IL Govt Legal Lake County

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**Preview**

**NOTICE OF A PUBLIC HEARING  
PLAN COMMISSION - ZONING  
BOARD OF APPEALS  
VILLAGE OF ROUND LAKE,  
ILLINOIS**

NOTICE IS HEREBY GIVEN, THAT A PUBLIC HEARING WILL BE HELD BY THE PLAN COMMISSION - ZONING BOARD OF APPEALS OF THE VILLAGE OF ROUND LAKE, LAKE COUNTY, ILLINOIS, ON OCTOBER 29, 2019, AT 7:00 PM, IN THE VILLAGE COUNCIL CHAMBERS, 442 NORTH CEDAR LAKE ROAD, ROUND LAKE, ILLINOIS, 60073 TO CONSIDER THE PETITION OF THE VILLAGE OF ROUND LAKE.

THIS APPLICATION IS FILED FOR THE PURPOSE OF AMENDING TITLE 17, ZONING CODE, OF THE ROUND LAKE MUNICIPAL CODE, REGARDING CANNABIS BUSINESSES, PURSUANT TO THE REQUIREMENTS OF THE VILLAGE OF ROUND LAKE ZONING ORDINANCE.

NOTICE IS FURTHER GIVEN, THAT ALL PERSONS PRESENT AT SAID HEARING AND DESIRING TO BE HEARD FOR OR AGAINST THE ACTION REQUESTED OR TO ASK QUESTIONS OF THE WITNESSES SHALL BE GIVEN SUCH OPPORTUNITY. IF YOU HAVE QUESTIONS PLEASE CONTACT VILLAGE OF ROUND LAKE COMMUNITY DEVELOPMENT AT (847)546-0963.

KATE KRISTAN, CHAIRPERSON  
PLAN COMMISSION - ZONING  
BOARD OF APPEALS

TO BE PUBLISHED ON OCTOBER  
11, 2019  
10/11/2019 6472535

Title 17 - ZONING

**Chapters:**

**Chapter 17.04 - INTRODUCTORY PROVISIONS AND DEFINITIONS**

- B. Definitions. The following words and terms shall have the meaning set forth, except where otherwise specifically indicated. Words and terms not defined shall have the meaning indicated by common dictionary definition.

“Cannabis business establishment” means an adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

“Cannabis craft grower” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

“Cannabis cultivation center” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

“Cannabis dispensing organization” means a facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

“Cannabis infuser organization or infuser” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

“Cannabis processing organization or processor” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

"Cannabis transporting organization or transporter" means an organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

~~"Cultivation center" means a facility operated by an organization or business that is registered by the department of agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.~~

~~"Medical cannabis dispensing organization," or "dispensing organization," or "dispensary organization" means a facility operated by an organization or business that is registered by the department of financial and professional regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.~~

## Chapter 17.12 - GENERAL REGULATIONS

### ~~17.12.310 - Medical cannabis facilities.~~

#### ~~A. Regulations Related to Cultivation Centers.~~

- ~~1. A registered cultivation center shall not be located within two thousand five hundred (2,500) feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use. For purposes of the foregoing, a day care center, day care home, group day care home, or part day child care facility is considered "pre-existing" if it has been licensed to operate as such by the State of Illinois.~~
- ~~2. Each cultivation center shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto.~~

#### ~~B. Regulations Related to Medical Cannabis Dispensing Organizations.~~

- ~~1. Minimum Distance from Protected Uses. A dispensary organization shall not be located in a house, apartment, condominium, or an area zoned for residential use, nor shall a dispensary organization be located within one thousand (1,000) feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. For purposes of the foregoing, a day care center, day care home, group day care home, or part day child care facility is considered "pre-existing" if it has been licensed to operate as such by the State of Illinois.~~
- ~~2. Measurement. For the purposes of subparagraph (B)(1) of Section 17.12.310, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point of the exterior wall of the applicable dispensary organization to the nearest point of the property line of any protected use (as identified in subparagraph (B)(1) of Section 17.12.310).~~
- ~~3. Compliance with State Regulations and Rules. All dispensary organizations shall comply with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) and all rules and regulations adopted in accordance thereto.~~
- ~~4. Parking.~~

- a. ~~Parking shall be located in an area which is visible from a public road or a private road that is accessible to the public. It cannot be screened from the roadway with vegetation, fencing or other obstructions.~~
  - b. ~~Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by the dispensary organization staff and are continually recorded in a tamper proof format.~~
5. ~~Exterior Display. No dispensary organization shall be maintained or operated in a manner that causes, creates or allows the public viewing of medical cannabis, medical cannabis infused products or cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or any property other than the lot on which the dispensary is located. No portion of the exterior of the dispensary organization shall utilize or contain any flashing lights, search lights or spot lights or any similar lighting system.~~
6. ~~Signage and Advertising.~~
- a. ~~All commercial signage for a dispensary organization shall be limited to one flat wall sign not to exceed ten square feet in area, and one identifying sign, not to exceed two square feet in area, and such signs shall not be directly illuminated.~~
    - 1. ~~The wall sign not to exceed ten square feet in area shall contain only commercial messages which are strictly applicable to the use of the premises on which it is located, including messages indicating the business transacted, principal services rendered, goods sold or produced on the premises, or the name of the business occupying the premises.~~
    - 2. ~~The identifying sign not to exceed two square feet in area shall only include the dispensary organization's address.~~
  - b. ~~Exterior signs on the dispensary building shall not obstruct the entrance or windows on the dispensary.~~
  - c. ~~Electronic message boards and temporary signs are not permitted in connection with a dispensary.~~
  - d. ~~Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth, or language referencing cannabis.~~
  - e. ~~A sign shall be posted in a conspicuous place at or near all dispensary entrances and shall include the following language: "Only cardholders, designated caregivers, and staff may enter these premises. Persons under the age of 18 are prohibited from entering." The required text shall be no larger than one inch in height.~~
7. ~~Drug Paraphernalia Sales. Dispensary organizations that display or sell drug paraphernalia shall do so in compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 et seq.) and the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), including all rules and regulations adopted in accordance thereto.~~
8. ~~Age and Access Limitations. Each dispensary organization shall prohibit any person who is not at least eighteen (18) years of age from entering the dispensary facility. Dispensary organizations shall not employ anyone under the age of eighteen (18). Access to the dispensary facility shall be limited exclusively to dispensary staff, cardholders, local and state officials, and those specifically authorized under Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), including all rules and regulations adopted in accordance thereto. For purposes of this subparagraph, "cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card by the Illinois Department of Public Health pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).~~

~~9. Hours of Operation. Dispensary organizations may operate between 6:00 a.m. local time to 8:00 p.m. local time.~~

~~10. Drive-Thru Windows. Dispensary organizations may not have a drive-through service.~~

~~11. Security and Video Surveillance.~~

~~a. Each dispensary organization shall provide and maintain adequate security within the dispensary and on the entire exterior portion of the property on which the dispensary exists, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the site from theft.~~

~~b. The dispensary organization's parking area, client entrance, sales area, back room, storage areas and delivery bay and entrance shall be monitored by video surveillance equipment whose live images can be viewed by dispensary staff, as well as by police officers for the Village of Round Lake in the extent and manner determined by the chief of police, and continually recorded in a tamper proof format.~~

~~c. A sign shall be posted in a prominent location which includes the following language "This area is under live/recorded video surveillance to aid in the prosecution of any crimes committed against this facility or its patrons."~~

~~d. The chief of police shall review the adequacy of lighting, security and video surveillance installations. The chief of police has the discretion to conduct periodic review of security features as appropriate.~~

~~e. Each dispensary organization shall report all criminal activities occurring on the property to the applicable law enforcement agency immediately upon discovery.~~

~~f. Deliveries shall occur between 7:00 a.m. local time and 9:00 p.m. local time within a secure enclosed delivery bay and shall not be visible from the exterior of the facility.~~

~~12. Conduct on Site.~~

~~a. Loitering is prohibited on the dispensary organization's property.~~

~~b. It shall be prohibited to consume cannabis products in the dispensary organization or anywhere on the site occupied by the dispensary organization. A sign, at least eight and one-half (8.5) by eleven (11) inches, shall be posted inside the dispensary building in a conspicuous place and visible to a client and shall include the following language: "Smoking, eating, drinking or other forms of consumption of cannabis products is prohibited on dispensary property."~~

#### ~~17.12.310 Cannabis~~ 17.12.310 Cannabis Businesses.

A. Purpose and Applicability. It is the intent and purpose of this Section to provide regulations regarding the dispensing, growing, processing, and transporting of cannabis occurring within the corporate limits of the Village. Such establishments shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027) (Act), as it may be amended from time to time, in the regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

B. Special Use Requirements. A cannabis business establishment, as defined herein, shall require an approval of a Special Use, and shall be processed in accordance with Chapter

17.100 (Special Uses) of this Title as provided herein, and shall be subject to the following conditions:

1. State License. The cannabis business establishment must be operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation or the Illinois Department of Agriculture. The Special Use Applicant shall submit a complete copy of their license application and all plans submitted to the State of Illinois, or any agency thereof, as part of their special use application. Before issuance of a certificate of occupancy or otherwise opening to the public, the business must provide a copy of their state license to operate as a cannabis business.
2. Minimum Distance from Protected Uses. The cannabis business establishment may not be located within \_\_\_\_\_ feet of the property line of a pre-existing public or private nursery school, pre-school, primary or secondary school, day care center, or day care home (pre-existing means licensed by the State of Illinois). Notwithstanding the foregoing, a cannabis business will not be deemed to violate this provision if one of the above uses locates within the \_\_\_\_\_ foot spacing after the cannabis business has been issued an occupancy certificate to open for business. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
3. Measurement. For the purposes of the minimum distances section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which an applicable dispensary is located to the nearest point on any property line of any protected use.
4. Buffering from Other Dispensaries. Each dispensary shall be a minimum of 1,500 feet from all other dispensaries, as measured from the applicable property lines.
5. Co-Location of Cannabis Business Establishments. The Village may approve the co-location of a Cannabis Dispensary with a Cannabis Craft Grower Center or a Cannabis Infuser, or both, subject to the provisions of the Act and the Special Use criteria.
6. Parking.
  - a. For purpose of determining required parking, a cannabis dispensary shall be classified as retail and all other cannabis businesses shall be classified as manufacturing pursuant to Section 17.88.060 of the Zoning Ordinance; provided however that the Village may require that additional parking be provided as a result of the analysis completed through the Special Use process.
  - b. Parking shall be located in an area which is visible from a public road or a private road that is accessible to the public.

- c. Parking areas shall be well lit and monitored by video surveillance equipment whose live images can be viewed by business staff and are continually recorded in a tamper proof format.
- 7. Exterior Display. No cannabis business establishment shall be maintained or operated in a manner that causes, creates, or allows the public viewing of cannabis, cannabis-infused products or cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or any property other than the lot on which the business is located. No portion of the exterior of the business shall utilize or contain any flashing lights, search lights or spot lights or any similar lighting system.
- 8. Advertising. No cannabis business establishment nor any other person or entity shall place or maintain, or cause to be placed or maintained, an advertisement of cannabis or cannabis-infused product in any form or through any medium:
  - a. Within 1,000 feet of the perimeter of a pre-existing public or private nursery school, pre-school, primary or secondary school, day care center, or day care home; or
  - b. On or in a public transit vehicle or public transit shelter; or
  - c. On or in publicly owned or publicly operated property.

All advertising shall comply with the rules and regulations set forth in the Cannabis Regulation and Tax Act (P.A. 101-0027).
- 9. Signage. All signage shall comply with the Sign Code, Title 18 and with regulations herein.
  - a. Electronic message boards and temporary signs are not permitted in connection with a cannabis business.
  - b. Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented towards youth or language referencing cannabis.
  - c. All applicable advertising regulations set forth in the Cannabis Regulation and Tax Act (P.A. 101-0027) shall apply.
- 10. Age and Access Limitations. Each cannabis dispensary shall prohibit any person who is not at least twenty-one (21) years of age from entering the dispensary, except for cardholders granted medical access under the Compassionate Use of Medical Cannabis Act over 18 years of age. Cannabis businesses shall not employ anyone under the age of twenty-one (21). Access to the cannabis business shall be limited exclusively to cannabis

business staff and those specifically authorized under the Cannabis Regulation and Tax Act (P.A. 101-0027).

11. Hours of Operation. A dispensary may operate between the hours of 6 AM to 10 PM local time or as determined through the Special Use permit.
12. Drive-Thru Windows. Dispensaries may not have a drive-through service.
13. On Site Consumption and Conduct.
  - a. Other than cannabis-infused food products, no cannabis dispensary shall also sell food for consumption on the premises in the same tenant space.
  - b. On-site consumption of cannabis shall be prohibited within all cannabis business establishments and on the premises.
  - c. Loitering is prohibited on the cannabis business property.
  - d. A sign, at least eight and one-half (8.5) by eleven (11) inches, shall be posted inside the business building in a conspicuous place and visible to a client and shall include the following language: "Smoking, eating, drinking or other forms of consumption of cannabis products is prohibited on business property." The cannabis business shall be responsible for enforcing the prohibition of on-site consumption of cannabis and loitering under all circumstances inside and outside the dispensary and on the premises.
  - e. Establishment may not conduct any sales or distribution of cannabis other than as authorized by the Act.
  - f. At least 75% of the floor area of any tenant space occupied by a cannabis business shall be devoted to the activities of the business as authorized by the Act. Any request for reduction in floor area percentage shall be evaluated as part of the Special Use request.
14. Security and Video Surveillance. Each cannabis business shall be an enclosed locked facility ("facility"). Each business shall provide and maintain adequate security on the entire property on which the business exists, including lighting, video surveillance, security personnel and alarms reasonably designed to ensure the safety of persons and to protect the site from theft.
  - a. The parking area, client entrance, sales area, back room, storage areas and delivery bay and entrance shall be monitored by video surveillance equipment whose live images can be viewed by staff and continually recorded in a tamper proof format.

- b. A sign shall be posted in a prominent location which includes the following language "This area is under live/recorded video surveillance to aid in the prosecution of any crimes committed against this facility or its patrons."
  - c. The Director of Economic and Community Development shall review the adequacy of lighting, security and video surveillance installations with assistance from the Chief of Police. The Director and/or the Chief have the discretion to conduct periodic review of security features as appropriate.
  - d. Each business shall report all criminal activities occurring on the property to the applicable law enforcement agency immediately upon discovery.
  - e. Deliveries shall occur between 7:00 am and 9:00 pm local time within a secure delivery bay and shall not be visible from the exterior of the facility.
  - f. Facilities shall comply with all applicable standards set in the Cannabis Regulation and Tax Act (P.A. 101-0027).
15. Noxious Odors. All production centers shall operate in a manner that prevents odor impacts on neighboring premises or properties and, if necessary, the facility shall be ventilated with a system for odor control.
16. Violation/Penalties. Any violation of this Section shall be punishable as provided in Section 17.120.010 of this Code.

**Chapter 17.48 - C-1 LOCAL SHOPPING DISTRICT**

**17.48.020 - Permitted uses.**

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this title, for other than one or more of the following specified uses:

- A. Retail businesses, which supply commodities on the premises:
  - 1. Antique stores;
  - 2. Apparel stores;
  - 3. Bakery, in which the manufacture of goods is limited to goods retailed on the premises only;
  - 4. Book and stationery stores;
  - 5. Camera stores;
  - 6. Candy and confectionery stores;
  - 7. Dairy product;
  - 8. Delicatessens;
  - 9. Drug store;
  - 10. Dry goods stores;

11. Floral shop;
12. Grocery and food store;
13. Hardware stores;
14. Ice cream stores;
15. Jewelry stores;
16. Meat markets;
17. ~~Medical cannabis dispensing organization;~~
18. Restaurants, excluding drive-in service;
19. Shoe stores;
20. Sporting goods stores;
21. Toy stores;
22. Variety stores;
23. Automobile accessory store: no services.

17.48.040 - Special uses.

- A. ~~Reserved~~ Cannabis Dispensary;
- B. Child care nursery;
- C. Residence of the proprietor of a commercial use;
- D. Planned development;
- E. Full service banking facility with drive-up banking as an accessory use;
- F. Physical fitness/sports facility/health club facility/boxing gym, provided that any such use shall be combined with a retail sales use and that any such tenant space shall have at a minimum four thousand five hundred (4,500) square feet of floor space contained on a single floor.
- G. Function hall, which is defined as a room or building for the purpose of hosting private functions including a party, banquet, wedding, or other reception, or social event.

**Chapter 17.52 - C-2 COMMUNITY SHOPPING DISTRICT**

**Sections:**

17.52.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Retail businesses, which supply commodities on the premises:
  1. Retail businesses permitted in the C-1 district;
  2. Appliance store;
  3. Art and school supply store;
  4. Bicycle store: sales, rental and repair;
  5. Billiard and pool hall;
  6. Business machines store;

7. China and glassware store;
8. Department store;
9. Drapery store;
10. Floor coverings, including rugs and carpets;
11. Furniture store;
12. Gift shop;
13. Hobby shop;
14. Leather goods and luggage store;
15. Linoleum and tile store;
16. Locksmith;
17. ~~Medical cannabis dispensing organization;~~
18. Merchandising machines, sale of products;
19. Music store;
20. Newsstand;
21. Notions store;
22. Office supplies and stationery;
23. Paint and wallpaper store;
24. Pet shop;
25. Radio and television sales;
26. Record shop;
27. Tack shop;
28. Tobacco shop;
29. Toy store;
30. Trading stamp store.

17.52.040 - Special uses.

- A. Similar and compatible uses to those allowed as permitted uses in this district;
- B. Cannabis Dispensary;
- C. Child care nursery;
- D. Residence of the proprietor of a commercial use;
- E. Planned development;
- F. Drive-in banking facilities;
- G. Mobilehome sales facility and display location limited to not more than three mobilehome models and a use duration of not more than five years;
- H. Retail landscape/brick paving and related office facility.
- I. Function hall, which is defined as a room or building for the purpose of hosting private functions including a party, banquet, wedding, or other reception, or social event.

## Chapter 17.56 - C-3 GENERAL BUSINESS DISTRICT

### 17.56.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Retail businesses:
  - 1. Retail businesses, permitted in the C-2 district;
  - 2. Bottled gas dealer;
  - 3. Building services and supplies;
  - 4. Direct selling establishment, where products are stored;
  - 5. Drive-in restaurant;
  - 6. Farm and garden supply store;
  - 7. Hay, grain, and feed store;
  - 8. Ice cream refreshment stand;
  - 9. ~~Medical cannabis dispensing organization;~~
  - 10. Nursery stock;
  - 11. Roadside stand;
  - 12. Tire, battery, and accessory dealer;
  - 13. Tombstone and monument sales.

### 17.56.040 - Special uses.

- A. Automobile laundry;
- B. Drive-in banking facilities;
- C. ~~Reserved~~ Cannabis Dispensary;
- D. Lumber yard;
- E. Veterinary clinic, animal hospital, and kennels;
- F. Ambulance service;
- G. Convalescent, nursing home, rest home or sanitarium;
- H. Child care nursery;
- I. Automobile rental;
- J. Parking lot, commercial;
- K. Taxi cab stand;
- L. Planned development;
- M. Residence of the proprietor of a commercial use;
- N. Used furniture and second-hand store.
- O. Function hall, which is defined as a room or building for the purpose of hosting private functions including a party, banquet, wedding, or other reception, or social event.

## Chapter 17.60 - C-4 AUTOMOTIVE SERVICE DISTRICT

### 17.60.020 - Permitted uses.

No land shall be used or occupied and no buildings, structures or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Retail business, which supply commodities on the premises:
  - 1. Automobile accessories store;
  - 2. Automobile service station;
  - 3. Boat dealer;
  - 4. Camper sales;
  - 5. Drive-in restaurant;
  - 6. ~~Medical cannabis dispensing organization;~~
  - 7. Mobile home dealer;
  - 8. Motor vehicle dealer;
  - 9. Motorcycle sales;
  - 10. Tire, battery and accessory dealer;
  - 11. Used car lot.

### 17.60.040 - Special uses.

- A. Residential of the proprietor of a commercial use;
- B. Planned development.
- C. ~~Reserved Cannabis Dispensary.~~

## Chapter 17.64 - C-5 OFFICE/TRANSITIONAL DISTRICT

### 17.64.020 - Permitted uses.

No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Retail businesses, which supply commodities on the premises:
  - 1. ~~Medical cannabis dispensing organization;~~
  - 2. Retail businesses permitted in the C-1 district.

## Chapter 17.68 - I-1 LIMITED INDUSTRIAL DISTRICT

### 17.68.020 - Permitted uses.

- D. Other uses:
  - 1. ~~Medical cannabis dispensing organization.~~

### 17.68.040 - Special uses.

- A. Planned development;
- B. ~~Reserved Cannabis dispensary, Cannabis craft grower, Cannabis cultivation center, Cannabis infuser, Cannabis processing center or Cannabis transporter;~~
- C. Reserved;
- D. Railroad right-of-way and passenger stations, but not including yards and shops;
- E. Automobile/motor vehicle mechanical or auto body repair facility, including outdoor storage of such vehicles used pursuant to such service. The special use permit holder is responsible to ensure that any vehicle leaking fluids shall be kept indoors until the leak is repaired;
- F. Similar and compatible uses to the uses listed in the permitted and/or special use sections of this I-1 district may be allowed provided the use can meet the standards for special uses under this zoning chapter and if variations are required they must also meet the standards for variations under this zoning chapter;
- G. Storage of household goods within a building;
- H. Outdoor Auction Facility. Live auctions conducted outside of an enclosed building, subject to the following conditions:
  - 1. A maximum of six live auctions shall be held per calendar year (per zoning lot);
  - 2. No live auctions shall be held on a Sunday;
  - 3. Outdoor storage of inventory shall be permitted for fourteen (14) days prior to the live auction;
  - 4. The site shall be cleared of all inventory stored outside within ninety-six (96) hours of the end of the live auction;
  - 5. Inventory stored outside shall be stored on either a gravel or paved surface;
  - 6. The area used for outdoor storage of inventory shall be enclosed by a fence, the height of which shall be eight feet;
- I. Reserved.
- J. Recreational facility.
- K. ~~Cultivation center.~~
- L. Tow truck recovery service, including outdoor storage of such vehicles used pursuant to such service. The special use permit holder is responsible to ensure that any vehicle leaking fluids shall be kept indoors until the leak is repaired;
- M. Outdoor storage, when accessory to a permitted or special permit use;
- N. Contractor's office, with yard.

**Chapter 17.72 - I-2 GENERAL INDUSTRIAL DISTRICT**

**17.72.020 - Permitted uses.**

No land shall be used or occupied and no building, structure or premise shall be erected, altered, enlarged, occupied or used, except as otherwise provided in this chapter, for other than one or more of the following specified uses:

- A. Industrial type uses:
- D. Other uses:
  - 1. ~~Medical cannabis dispensing organization~~

**17.72.040 - Special uses—Planned unit development.**

- A. Residence of the proprietor, caretaker or watchman, when located on the premises of the industrial use;
- B. Radio and television stations and transmission towers;
- C. Landfill with noncombustible material free from organic refuse and/or food waste, not including a sanitary landfill;
- D. Mining, and/or the extraction of minerals, sand, gravel, topsoil or other aggregates, including equipment, buildings or structures for screening, crushing, mixing, washing or storage; provided, that:
  - 1. No open pit or shaft is less than two hundred (200) feet from any public road.
  - 2. All buildings or structures are located not less than two hundred (200) feet from any property line.
  - 3. The borders of the property adjacent to or across the street from any district other than an industrial district are fenced with a solid fence or wall at least six feet in height;
- E. Central sewage treatment plant;
- F. Outdoor storage of unconditioned building materials;
- G. Grain storage;
- H. Fertilizer and seed sales;
- I. Animal feed-preparation, grinding, mixing and storage;
- J. Airport.
- K. Cannabis dispensary, Cannabis craft grower, Cannabis cultivation center, Cannabis infuser, Cannabis processing center or Cannabis transporter;
- L. Similar and compatible uses to the uses listed in the permitted and/or special use sections of this I-1 district may be allowed provided the use can meet the standards for special uses under this zoning chapter and if variations are required they must also meet the standards for variations under this zoning chapter.