VILLAGE OF POPLAR GROVE

"A Great Place to Call Home"

PLANNING & ZONING COMMISSION

Wednesday, September 25, 2019 - 7:00 PM

200 N. Hill Street, Poplar Grove, IL 61065

MINUTES

CALL TO ORDER
Meeting was called order at 7:00 pm by Jake Dykstra

ROLL CALL

PRESENT
Chairman Jake Dkystra
Commissioner Jessica Roberts
Commissioner Nate Sroka
Commissioner Al Tilford
Commissioner David Allgood
Commissioner Bill Branbenburg
Commissioner George Fowler
Clerk Karri Anderberg
Zoning Administrator Gina Delrose
Attorney Aaron Szeto

APPROVAL OF MINUTES
1. Motion to approve the minutes from April 24, 2019

PUBLIC COMMENTS: *(General Comments)*

NEW BUSINESS
2. The applicant, Village of Poplar Grove, 200 North Hill Street, Poplar Grove, IL 61065 is requesting an amendment to the Zoning Ordinance pertaining to Sections 8-2-3 Definitions, 8-6-9(B) General Business District, 8-6-10(B) Central Business District, 8-6-11(B) Light Industrial District, 8-6-12(B) Heavy Industrial District, 8-6-13 Permitted Uses Table, 8-7-10 Adult-Use Cannabis and 8-7-11 Temporary Uses and Special Events in

accordance with Section 8-5-4, Text Amendment. The request will permit adult-use cannabis business establishments by special use in the General Business, Central Business, Light Industrial and Heavy Industrial Districts.
Delrose was sworn in at 7:03pm. read the staff report
On June 25, 2019 Public Act 101-0027 (Cannabis Regulations and Tax Act) was signed into law. This act will take effect on January 1, 2020 and allows for the private consumption and possession of cannabis by persons over the age of 21 in the State of Illinois. The Act allows for municipalities to create regulations for adult-use cannabis establishments that are consistent with the Act. However, a municipality cannot prohibit the private consumption of cannabis.

A Municipal Cannabis Retailer's Occupation Tax of 3% may be imposed on adult-use cannabis products. If the Village of Poplar Grove pursues this tax, it will be an amendment to the municipal code, not the Zoning Ordinance.

A limited number of cannabis-related licenses are available. During the first round of licenses only 75 dispensaries, 40 processors and 40 craft growers will be permitted in the entire state. A second round of licenses will permit an additional 110 dispensaries, 60 processors and 60 craft growers in the state. The likelihood of smaller communities getting an adult-use cannabis establishment is low. However, in order to be prepared, the Village should have regulations in place.

Staff utilized the model ordinance provided by the Illinois Municipal League as a template. Consistency in definitions and language throughout the state can make enforcement and interpretation easier. Two major changes from the draft ordinance are being proposed are the prohibition of on-site consumption (cannabis lounges) and a reduction in setbacks.

The reduction in setbacks is proposed because a very limited number of commercial and industrial zoned properties met the proposed 1,500-foot setback. If the Village is going to permit such businesses in the community, then the requirements must allow for a reasonable ability to establish the business. The proposed setbacks of 250 feet are still greater than those of a liquor license.

All adult-use cannabis establishments are permitted by special use, therefore each business will be reviewed on a case by case basis and voted on by the Village Board. Craft growers, cultivation centers, infusers and processors are only permitted by special use in the industrial districts. Even though some of the uses are considered agricultural in nature, due to the size of the buildings and infrastructure needed, they are more suitable in the industrial districts. Dispensaries and transporters are only permitted by special use in limited commercial districts and the industrial districts. The retail nature of the dispensary lends itself to a commercial business; due to setbacks from other land uses, however, such establishments are not compatible with the neighborhood business

district. Transportation facilities are not compatible with the central business district (due to the types of vehicles that may be needed for transporting).

The 75% floor area requirement for processing, infusing, and dispensing is proposed in order to prevent non-cannabis businesses from selling such products. One can go to a video store for instance and buy CBD oil infused water and food even though that has no connection to the main business and families entering the store to rent a video may not be anticipating such products displayed.
Discussion among commissioners followed.

Motion made by Commissioner Fowler, Seconded by Commissioner Branbenburg. Voting Yea: Chairman Dkystra, Commissioner Roberts, Commissioner Sroka, Commissioner Fowler, Commissioner Branbenburg, Commissioner Tilford, Commissioner Allgood.

Motion made by Commissioner Roberts, Seconded by Commissioner Allgood to amend Section E and take out federal law
Voting Yea: Chairman Dkystra, Commissioner Roberts, Commissioner Sroka, Commissioner Fowler, Commissioner Branbenburg, Commissioner Tilford, Commissioner Allgood.

ADJOURNMENT
Motion made by Commissioner Sroka, Seconded by Commissioner Brandenburg. motion passed by voice vote.
meeting adjourned at 7:22pm