

ORDINANCE NO. 3788

**AN ORDINANCE AMENDING THE VILLAGE OF RIVER FOREST
ZONING ORDINANCE REGARDING CANNABIS BUSINESS ESTABLISHMENTS**

WHEREAS, the Village of River Forest (“Village”) is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, the Village President and Board of Trustees of the Village (“Corporate Authorities”) have adopted a zoning ordinance (“Zoning Ordinance”), which has been amended from time to time; and

WHEREAS, the Village is authorized to amend its Zoning Ordinance pursuant to Section 11-13-14 of the Illinois Municipal Code, 65 ILCS 5/11-13-14; and

WHEREAS, the Corporate Authorities have recently considered whether it is appropriate to allow cannabis business establishments to operate in the Village; and

WHEREAS, on September 9, 2019, the Corporate Authorities referred consideration of proposed text amendments regarding this matter (“Text Amendments”) to the Village’s Zoning Board of Appeals (“ZBA”); and

WHEREAS, the ZBA held a public hearing, on October 17, 2019, on the question of whether the proposed Text Amendments should be made, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on October 17, 2019, the ZBA voted to favorably recommend the proposed Text Amendments to the Corporate Authorities with regard to the operation of cannabis business establishments within the Village, with some changes to the amendments proposed by the Corporate Authorities; and

WHEREAS, on November 14, 2019, the ZBA approved its findings and recommendation regarding the Text Amendments to the Corporate Authorities, and the Corporate Authorities have duly considered said report, findings of fact and recommendation, a copy of which is attached hereto as **EXHIBIT A** and made a part hereof; and

WHEREAS, the Corporate Authorities, pursuant to their statutory zoning authority, and the report, findings of fact and recommendation of the ZBA, have determined that it is in the best interests of the health, welfare and safety of residents of the Village to adopt the Text Amendments as set forth below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of River Forest, Cook County, Illinois, as follows:

SECTION 1: Incorporation. That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION 2: Approval of Findings and Recommendation. That the President and Board of Trustees of the Village of River Forest approve and adopt the report, findings of fact and recommendation of the ZBA, in **EXHIBIT A**.

SECTION 3: Amendments. That the Zoning Ordinance is hereby amended as follows:

Amendment One:

Section 10-3-1 of the Zoning Ordinance, entitled "Definitions of Words and Terms," is amended to add the following definitions:

"CANNABIS: "Cannabis" as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

CANNABIS BUSINESS ESTABLISHMENT: A medical cannabis cultivation center, medical cannabis dispensary, recreational cannabis craft grower, recreational cannabis cultivation center, recreational cannabis dispensary, recreational cannabis infuser, recreational cannabis processor and / or recreational cannabis transporter.

MEDICAL CANNABIS CULTIVATION CENTER: A "cultivation center" as defined in the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended.

MEDICAL CANNABIS DISPENSARY: A "dispensary organization" as defined in the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended.

RECREATIONAL CANNABIS CRAFT GROWER: A "craft grower," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS CULTIVATION CENTER: A "cultivation center," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1 *et seq.*), as amended.

RECREATIONAL CANNABIS DISPENSARY: A “dispensary,” as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS INFUSER: An “infuser” as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS PROCESSOR: A “processor,” as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS TRANSPORTER: A “transporter,” as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.”

Amendment Two:

Section 10-7-5 of the Zoning Ordinance, entitled “Cannabis Business Establishments,” is hereby created and shall read as follows:

- “A. Cannabis Consumption Prohibited: Consumption of cannabis, in any form, is prohibited on the premises of cannabis business establishments.

- B. Compliance Required:
 - 1. Cannabis business establishments, their “principal officers,” as defined and referred to in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended, and the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended, their agents and their employees shall strictly comply with all laws, regulations, ordinances and directives of the State and the Village, including, but not limited to, licensing requirements, registration requirements, operations requirements, zoning approvals, special use conditions and zoning requirements, including lot size, building height, lot coverage, setbacks, stormwater management, public utilities and parking.

 - 2. No cannabis business establishment may operate in the Village without first receiving all the approvals required for the operation of the cannabis business establishment, including, but not limited to, from the

Village, the Illinois Department of Financial and Professional Regulation and the Illinois Department of Agriculture. Proof of receipt of all required approvals must be provided to the Village Administrator prior to operation of a cannabis business establishment.

- C. Distance Requirements: Cannabis business establishments shall comply with all distance requirements, both in State law and the following:
 - 1. A medical cannabis dispensary and a recreational cannabis dispensary shall not be located within one hundred (100) feet of a pre-existing public or private preschool, elementary or secondary school, child daycare center, park or church, measured from lot line to lot line.
 - 2. A recreational cannabis dispensary shall not be located within one thousand five hundred (1,500) feet of a pre-existing medical cannabis dispensary or recreational cannabis dispensary, measured from lot line to lot line.
 - 3. A medical cannabis cultivation center shall not be located within two thousand five hundred (2,500) feet of a pre-existing public or private preschool, elementary or secondary school, child day care center, day care home, group day care home, part day child care facility, park, church or an area zoned for residential use, measured from lot line to lot line.
- D. Hours of Business: Unless different hours of business are included in a special use permit or planned development for a cannabis business establishment, a cannabis business establishment may only be operated between the hours of 10:00 AM and 7:00 PM.
- E. Required Reports: A cannabis business establishment shall provide the Village Administrator with any notices of violation, orders and correspondence related to alleged or proven violations by the cannabis business establishment, its principal officers, its agents or its employees sent by the Illinois Department of Financial and Professional Regulation or the Illinois Department of Agriculture. A cannabis business establishment shall provide the Village Administrator with the materials within two (2) business days

of the cannabis business establishment's receipt of the materials.”

Amendment Three:

Section 10-21-1 of the Zoning Ordinance, entitled “Land Use Chart,” is amended to read as follows, with additions underlined:

“The land use chart contained in Appendix A, set out in Section 10-21-3 of this Chapter indicates what the permitted, prohibited and special uses and planned developments required are in each of the zoning districts established by this zoning title. When a use is not specifically listed as a prohibited, permitted, special or planned development use in the land use chart in Appendix A, such use is hereby prohibited.”

Amendment Four:

Section 10-21-3, Appendix A, of the Zoning Ordinance, entitled “Land Use Chart,” is amended to add the following items to the Land Use Chart:

Under the “Retail Trade” heading:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Medical cannabis dispensary	N	N	N	S	S	S	S	N
Recreational cannabis dispensary	N	N	N	S	S	S	S	N

Under the “Industrial” heading:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Medical cannabis cultivation center	N	N	N	S	S	S	S	N
Recreational cannabis craft grower	N	N	N	N	N	N	N	N
Recreational cannabis cultivation center	N	N	N	N	N	N	N	N
Recreational cannabis infuser	N	N	N	N	N	N	N	N
Recreational cannabis processor	N	N	N	N	N	N	N	N
Recreational cannabis transporter	N	N	N	N	N	N	N	N

SECTION 4: Continuing Effect. That all parts of the Zoning Ordinance not amended herein shall remain in effect.

SECTION 5: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 6: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

SECTION 7: Effectiveness. That this Ordinance shall be in full force and effect upon its passage and approval according to law.

PASSED this 9th day of December, 2019 by the Village President and Board of Trustees pursuant to a roll call vote as follows:

AYES: TRUSTEES BACHNER, BRENNAN, CARGIE, O'CONNELL, VAZQUEZ

NAYS: NONE

ABSENT: TRUSTEE HENEK

APPROVED by me this 9th day of December, 2019.



Catherine Adduci, Village President

ATTEST:



Kathleen Brand-White, Village Clerk



December 9, 2019

STATE OF ILLINOIS}
COUNTY OF COOK}

I, Kathleen Brand-White, certify that I am the duly elected municipal clerk of the Village of River Forest of Cook County, Illinois.

I further certify that on December 9, 2019, the Corporate Authorities of such municipality passed and approved **Ordinance No. 3788, AN ORDINANCE AMENDING THE VILLAGE OF RIVER FOREST ZONING ORDINANCE REGARDING CANNABIS BUSINESS ESTABLISHMENTS**, which provided by its terms that it should be published in pamphlet form as provided by law.

By: 
Kathleen Brand-White, Village Clerk

EXHIBIT A

**REPORT, FINDINGS OF FACT AND RECOMMENDATION
FROM THE ZONING BOARD OF APPEALS**

(attached)

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION REGARDING
PROPOSED TEXT AMENDMENTS TO THE VILLAGE OF RIVER FOREST
ZONING ORDINANCE REGARDING CANNABIS BUSINESS ESTABLISHMENTS
OPERATING UNDER THE ILLINOIS CANNABIS REGULATION AND TAX ACT,
410 ILCS 705/1, ET SEQ., AND MEDICAL CANNABIS ESTABLISHMENTS UNDER
THE ILLINOIS COMPASSIONATE USE OF MEDICAL CANNABIS PROGRAM ACT,
410 ILCS 130/1, ET SEQ.**

WHEREAS, petitioner the Village of River Forest ("Village"), based upon direction from the Village President and Board of Trustees given at its September 9, 2019 meeting, has requested consideration of, and a public hearing on, the amendments to the Village of River Forest Zoning Ordinance ("Zoning Ordinance") in Exhibit A attached hereto and made a part hereof ("Proposed Text Amendments"), which were summarized as follows in the published public hearing notice:

Additions and amendments to Chapters 10-3 (Definitions), 10-7 (Regulations of General Applicability), 10-12 (C1 Commercial Zoning District), 10-13 (C2 Commercial Zoning District), 10-14 (C3 Central Commercial Zoning District), 10-15 (ORIC Office / Research / Industrial / Commercial Zoning District) and 10-21 (Land Use Chart), to allow the limited operation in the Village of River Forest of certain cannabis business establishments operating under the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1, et seq., as amended ("CRTA"), and medical cannabis establishments under the Illinois Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, et seq., as amended ("CUMCPA), subject to the following limitations, in addition to those limitations which the Zoning Board of Appeals and/or Village President and Board of Trustees may determine are appropriate:

- A. Cannabis dispensaries and cannabis craft growers operating under the CRTA may be located in the Village of River Forest as a special use in the C1 Commercial Zoning District, C2 Commercial Zoning District, C3 Central Commercial Zoning District and the ORIC Office / Research / Industrial / Commercial Zoning District.
- B. Cannabis cultivation centers, cannabis processing organizations and cannabis transporting organizations are prohibited from operating in the Village of River Forest.
- C. Medical cannabis dispensaries and medical cannabis cultivation centers operating under the CUMCPA may be located in the Village of River Forest as a special use in the C1 Commercial Zoning District, C2 Commercial Zoning District, C3 Central Commercial Zoning District and the ORIC Office / Research / Industrial / Commercial Zoning District.

- D. Consumption of cannabis shall not be permitted on the premises of any cannabis business establishment or medical cannabis establishment.

The Proposed Text Amendments consist of four (4) groups of amendments to the Zoning Ordinance, each of which is labeled in Exhibit A as "Amendment One," "Amendment Two," "Amendment Three" and "Amendment Four;" and

WHEREAS, the Village's Zoning Board of Appeals ("ZBA") held a public hearing on the question of whether the Proposed Text Amendments should be made on October 17, 2019, as required by Section 10-5-5 of the Zoning Ordinance, at which time all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the ZBA; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village; and

WHEREAS, at the public hearing, Assistant Village Administrator Lisa Scheiner presented the Proposed Text Amendments on behalf of the Village; and

WHEREAS, at the public hearing Village residents testified for and against the Proposed Text Amendments; and

WHEREAS, after the close of the public hearing, the ZBA discussed and deliberated the Proposed Text Amendments and made a series of votes on recommendations regarding the Proposed Text Amendments; and

WHEREAS, following discussion and deliberation, the ZBA, pursuant to Section 10-5-5(B)(2) of the Zoning Ordinance, recommended the Village President and Board of Trustees approve the Proposed Text Amendments, with the changes noted in Exhibit B attached hereto and made a part hereof ("Recommended Text Amendments"), the specific reasoning and votes for which are set forth in detail below;

NOW THEREFORE, the ZBA makes the following findings of fact and recommendations pursuant to Section 10-5-5(B)(2) of the Zoning Ordinance:

FINDINGS OF FACT AND RECOMMENDATIONS

1. **Amendment One.** Amendment One, which contains definitions of cannabis business establishments, is recommended for APPROVAL as proposed. Defining cannabis business establishments in the Zoning Ordinance is necessary for the Village to regulate the establishments. The ZBA recommends APPROVAL of Amendment One by a unanimous vote (7-0).

2. **Amendment Two.** Amendment Two, which contains regulations on cannabis business establishments, is recommended for APPROVAL with the modifications in the Recommended Text Amendments in Exhibit B. A majority of the ZBA finds that regulating cannabis business establishments as set forth in Exhibit B is an appropriate and reasonable way to govern such uses in the Village. A minority of the ZBA voted against Amendment Two with the restrictions as amended. The ZBA recommends APPROVAL of Amendment Two as modified by a vote of five (5) in favor and two (2) against.

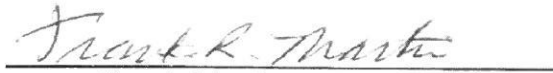
3. **Amendment Three.** Amendment Three, which adds language to Section 10-21-1 of the Zoning Ordinance regarding the interpretation and application of the land use chart in Section 10-21-3, Appendix A, of the Zoning Ordinance, is recommended for APPROVAL as proposed. The language proposed to be added to the Zoning Ordinance in Amendment Three is a reasonable and necessary addition to the Zoning Ordinance that provides guidance for the interpretation and application of the land use chart. The ZBA recommends APPROVAL of Amendment Three by a unanimous vote (7-0).

4. **Amendment Four.** Amendment Four, which amends the land use chart in Section 10-21-3, Appendix A, of the Zoning Ordinance, regarding cannabis business establishments is recommended for APPROVAL with the modifications noted in the Recommended Text Amendments in Exhibit B. The ZBA recommends APPROVAL of Amendment Four, with the modifications noted in the Recommended Text Amendments in Exhibit B, as set forth below, with the explanations for each recommendation included below:

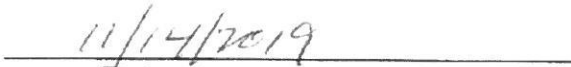
- A. The ZBA recommends allowing medical cannabis dispensaries and medical cannabis cultivation centers to operate in the Village, by amending the land use chart to add the uses as special uses in the C1, C2, C3 and ORIC Zoning Districts, by a unanimous vote (7-0). The CUMCPA prohibits the Village from excluding medical cannabis dispensaries and medical cannabis cultivation centers in the Village. As such, it is reasonable to require that the uses be allowed in certain commercial Zoning Districts in the Village as special uses, so that the ZBA and Village President and Board of Trustees can thoroughly review and vet applications for such uses through a public hearing process, and impose conditions on such uses on a case-by-case basis if necessary.
- B. The ZBA recommends allowing recreational cannabis dispensaries to operate in the Village, by amending the land use chart to add the use as a special use in the C1, C2, C3 and ORIC Zoning Districts, by a vote of four (4) in favor and three (3) against. A majority of the ZBA finds that allowing recreational cannabis dispensaries as a special use in certain commercial Zoning Districts is appropriate, as such use is compatible with the Village's land planning goals and objectives. As a special use, a recreational cannabis dispensary could not operate in the Village without first going through a public hearing before the ZBA and obtaining approval from the Village President and Board of Trustees, which process would allow for

public input and conditions to be placed on a particular proposed dispensary on a case-by-case basis. A minority of the ZBA finds that recreational cannabis dispensaries are not compatible with the Village's land planning goals and objectives and that such use should not be allowed in the Village.

- C. The ZBA recommends prohibiting recreational cannabis craft growers, recreational cannabis cultivation centers, recreational cannabis infusers, recreational cannabis processors and recreational cannabis transporters from operating in the Village, by making the uses prohibited uses in the land use chart in all Zoning Districts, by a unanimous vote (7-0). The ZBA finds that these types of recreational cannabis business establishment are not compatible with the Village's land planning goals and objectives and that such uses should not be allowed in the Village.



Frank Martin
Chairman



Date

EXHIBIT A

PROPOSED TEXT AMENDMENTS

(attached)

Amendment One:

Section 10-3-1 of the Zoning Ordinance, entitled "Definitions of Words and Terms," is amended to add the following definitions:

"CANNABIS: "Cannabis" as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

CANNABIS BUSINESS ESTABLISHMENT: A medical cannabis cultivation center, medical cannabis dispensary, recreational cannabis craft grower, recreational cannabis cultivation center, recreational cannabis dispensary, recreational cannabis infuser, recreational cannabis processor and / or recreational cannabis transporter.

MEDICAL CANNABIS CULTIVATION CENTER: A "cultivation center" as defined in the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended.

MEDICAL CANNABIS DISPENSARY: A "dispensary organization" as defined in the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended.

RECREATIONAL CANNABIS CRAFT GROWER: A "craft grower," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS CULTIVATION CENTER: A "cultivation center," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1 *et seq.*), as amended.

RECREATIONAL CANNABIS DISPENSARY: A "dispensary," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS INFUSER: An "infuser" as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS PROCESSOR: A "processor," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended.

RECREATIONAL CANNABIS TRANSPORTER: A "transporter," as defined in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended."

Amendment Two:

Section 10-7-5 of the Zoning Ordinance, entitled "Cannabis Business Establishments," is hereby created and shall read as follows:

- "A. Cannabis Consumption Prohibited: Consumption of cannabis, in any form, is prohibited on the premises of cannabis business establishments.

- B. Compliance Required:
 - 1. Cannabis business establishments, their "principal officers," as defined and referred to in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended, and the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended, their agents and their employees shall strictly comply with all laws, regulations, ordinances and directives of the State and the Village, including, but not limited to, licensing requirements, registration requirements, operations requirements, zoning approvals, special use conditions and zoning requirements, including lot size, building height, lot coverage, setbacks, stormwater management, public utilities and parking.

 - 2. No cannabis business establishment may operate in the Village without first receiving all the approvals required for the operation of the cannabis business establishment, including, but not limited to, from the Village, the Illinois Department of Financial and Professional Regulation and the Illinois Department of Agriculture. Proof of receipt of all required approvals must be provided to the Village Administrator prior to operation of a cannabis business establishment.

- C. Distance Requirements: Cannabis business establishments shall comply with all distance requirements, both in State law and the following:
 - 1. A medical cannabis dispensary, recreational cannabis dispensary and a recreational cannabis craft grower shall not be located within one hundred (100) feet of a pre-existing public or private preschool or elementary or secondary school, measured from lot line to lot line.

 - 2. A recreational cannabis dispensary shall not be located within one thousand five hundred (1,500) feet of an existing medical cannabis dispensary or recreational cannabis dispensary, measured from lot line to lot line.

3. A recreational craft grower shall not be located within one thousand five hundred (1,500) feet of an existing recreational craft grower or medical cannabis cultivation center, measured from lot line to lot line.
4. A medical cannabis cultivation center shall not be located within two thousand five hundred (2,500) feet 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, measured from lot line to lot line.

D. Limitations on Number of Establishments:

1. There shall be no more than _____ () recreational cannabis dispensaries in the Village at any given time.
2. There shall be no more than _____ () recreational cannabis craft growers in the Village at any given time.

E. Hours of Business: Unless different hours of business are included in a special use permit or planned development for a cannabis business establishment, a cannabis business establishment may only be operated between the hours of _____ AM and _____ PM.

F. Required Reports: A cannabis business establishment shall provide the Village Administrator with any notices of violation, orders and correspondence related to alleged or proven violations by the cannabis business establishment, its principal officers, its agents or its employees sent by the Illinois Department of Financial and Professional Regulation or the Illinois Department of Agriculture. A cannabis business establishment shall provide the Village Administrator with the materials within two (2) business days of the cannabis business establishment's receipt of the materials."

Amendment Three:

Section 10-21-1 of the Zoning Ordinance, entitled "Land Use Chart," is amended to read as follows, with additions underlined:

"The land use chart contained in Appendix A, set out in Section 10-21-3 of this Chapter indicates what the permitted, prohibited and special uses and planned developments required are in each of the zoning districts established by this zoning title. When a use is not specifically listed as a prohibited, permitted, special or planned development use in the land use chart in Appendix A, such use is hereby prohibited."

Amendment Four:

Section 10-21-3, Appendix A, of the Zoning Ordinance, entitled "Land Use Chart," is amended to add the following items to the Land Use Chart:

Under the "Retail Trade" heading:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Medical cannabis dispensary	N	N	N	S	S	S	S	N
Recreational cannabis dispensary	N	N	N	S	S	S	S	N

Under the "Industrial" heading:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Medical cannabis cultivation center	N	N	N	S	S	S	S	N
Recreational cannabis craft grower	N	N	N	S	S	S	S	N
Recreational cannabis cultivation center	N	N	N	N	N	N	N	N
Recreational cannabis infuser	N	N	N	N	N	N	N	N
Recreational cannabis processor	N	N	N	N	N	N	N	N
Recreational cannabis transporter	N	N	N	N	N	N	N	N

EXHIBIT B

RECOMMENDED TEXT AMENDMENTS

(attached)

The ZBA's recommended changes to the Proposed Text Amendments are set forth herein, with additions underlined and deletions struck through.

Amendment One:

No recommended changes.

Amendment Two:

Section 10-7-5 of the Zoning Ordinance, entitled "Cannabis Business Establishments," is hereby created and shall read as follows:

- "A. Cannabis Consumption Prohibited: Consumption of cannabis, in any form, is prohibited on the premises of cannabis business establishments.

- B. Compliance Required:
 - 1. Cannabis business establishments, their "principal officers," as defined and referred to in the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1, *et seq.*), as amended, and the Illinois Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1, *et seq.*), as amended, their agents and their employees shall strictly comply with all laws, regulations, ordinances and directives of the State and the Village, including, but not limited to, licensing requirements, registration requirements, operations requirements, zoning approvals, special use conditions and zoning requirements, including lot size, building height, lot coverage, setbacks, stormwater management, public utilities and parking.

 - 2. No cannabis business establishment may operate in the Village without first receiving all the approvals required for the operation of the cannabis business establishment, including, but not limited to, from the Village, the Illinois Department of Financial and Professional Regulation and the Illinois Department of Agriculture. Proof of receipt of all required approvals must be provided to the Village Administrator prior to operation of a cannabis business establishment.

- C. Distance Requirements: Cannabis business establishments shall comply with all distance requirements, both in State law and the following:
 - 1. A medical cannabis dispensary, recreational cannabis dispensary and a recreational cannabis craft grower shall not

be located within one thousand (1,000) ~~one hundred (100)~~ feet of a pre-existing public or private preschool or elementary or secondary school, measured from lot line to lot line.

2. A recreational cannabis dispensary shall not be located within three thousand (3,000) ~~one thousand five hundred (1,500)~~ feet of an existing medical cannabis dispensary or recreational cannabis dispensary, measured from lot line to lot line.
- ~~3. A recreational craft grower shall not be located within one thousand five hundred (1,500) feet of an existing recreational craft grower or medical cannabis cultivation center, measured from lot line to lot line.~~
- 3 4. A medical cannabis cultivation center shall not be located within three thousand (3,000) ~~two thousand five hundred (2,500)~~ feet 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, measured from lot line to lot line.

D. Limitations on Number of Establishments:

1. There shall be no more than one (1) recreational cannabis dispensaries in the Village at any given time.
- ~~2. There shall be no more than _____ (___) recreational cannabis craft growers in the Village at any given time.~~

E. Hours of Business: Unless different hours of business are included in a special use permit or planned development for a cannabis business establishment, a cannabis business establishment may only be operated between the hours of 10:00 AM and 7:00 PM.

F. Required Reports: A cannabis business establishment shall provide the Village Administrator with any notices of violation, orders and correspondence related to alleged or proven violations by the cannabis business establishment, its principal officers, its agents or its employees sent by the Illinois Department of Financial and Professional Regulation or the Illinois Department of Agriculture. A cannabis business establishment shall provide the Village Administrator with the materials within two (2) business days of the cannabis business establishment's receipt of the materials."

Amendment Three:

No recommended changes.

Amendment Four:

Section 10-21-3, Appendix A, of the Zoning Ordinance, entitled "Land Use Chart," is amended to add the following items to the Land Use Chart:

Under the "Retail Trade" heading:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Medical cannabis dispensary	N	N	N	S	S	S	S	N
Recreational cannabis dispensary	N	N	N	S	S	S	S	N

Under the "Industrial" heading:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Medical cannabis cultivation center	N	N	N	S	S	S	S	N
Recreational cannabis craft grower	N	N	N	NS	NS	NS	NS	N
Recreational cannabis cultivation center	N	N	N	N	N	N	N	N
Recreational cannabis infuser	N	N	N	N	N	N	N	N
Recreational cannabis processor	N	N	N	N	N	N	N	N
Recreational cannabis transporter	N	N	N	N	N	N	N	N