

PLANNING & ZONING COMMISSION MEETING MINUTES
66 Thillen Drive, Fox Lake, IL 60020
November 13th , 2019 6:30pm

Public Hearing for the Petition of the Village of Fox Lake, requesting a Text Amendment to the Zoning Ordinance allowing various types of Recreational Cannabis related businesses.

I. Call to Order

Chairman Gauger opened the public hearing for the petition of the Village of Fox Lake, requesting a Text Amendment to the Zoning Ordinance allowing various types of Recreational Cannabis related businesses at 6:33pm.

II. Roll Call

Present

Commissioner David Schultz
Commissioner LaPiana
Commissioner Niki Warden
Commissioner Legge
Chairman David Gauger

Absent

Commissioner Tim Foster
Commissioner Debra Vander Weit

Staff Present

Community Development Director Donovan Day

III. Hearing

Director Day presented the petition, of the Village of Fox Lake requesting a text amendment to the zoning ordinance allowing various types of recreational cannabis related businesses, to the Commission.

Staff is seeking recommendations from the Planning and Zoning Commission for a text amendment to Fox Lake's Zoning Ordinance Section 9-1-4-2 Table 1, Uses in Zoning Districts to allow recreational cannabis related businesses to operate in Fox Lake after obtaining a Special Use Permit.

Director Day referred to the workshop held by the Mayor and Board of Trustees on October 23rd, 2019, conducted by James Ferolo from Klein, Thorpe and Jenkins, Ltd. The training workshop provided information to understand the contents of the law, vote to allow taxation of cannabis related businesses within Fox Lake, and provide guidance to staff to present their findings to the Planning and Zoning Commission on where they stood on the matter. Ordinance 2019-38 was adopted on September 24th, 2019 which allowed for the imposition of a municipal cannabis retailers' occupation tax (3%), and the Village Board directed staff to petition for a Public Hearing before the planning and Zoning Commission to recommend additional regulations.

Director Day discussed the three (3) items presented to the Planning and Zoning Commission to be recommended to the Village Board:

1. What types of cannabis related businesses should Fox Lake allow?
2. What Zoning Districts will Cannabis related businesses be permitted to operate?
3. What are the buffer areas (in feet) that should be established around sensitive areas?

Director Day addressed the types of cannabis related businesses and the zoning districts that staff is recommending to be permitted in, after obtaining the required Special Use Permit.

- Craft Growers: B2, B3, B4, M1, M2 & A1
- Dispensaries: D, B2, B3, B4, M1
- Cultivation Center: M1, M2 A1
- Infusers: D, B2, B3, B4, M1, M2
- Cannabis Cafes/Lounges: D, B2, B3, B4 & M1
- Transporter: M1, M2, &A1

Director Day also demonstrated the Lake County GIS overlay map to assist the Planning and Zoning Commission in determining appropriate buffer areas. The sensitive areas included libraries, schools, daycare centers, places of worship and public parks. Properties within the buffer areas would be prohibited from having cannabis related businesses within it.

IV. Commission Comments

The Planning and Zoning Commission discussed public parks being within a buffer zone. Commissioner LaPiana asked to see a buffer added to public parks using the Lake County GIS overlay map.

Director Day referred to the Cannabis Regulation and Tax Act (Act), which pertains to the possession, use, cultivation, transportation and dispensing of cannabis, which became effective June 25, 2019. Pursuant to the Act, the Village may enact reasonable zoning ordinances or resolutions not in conflict with the Act, regulating cannabis business establishments, including rules adopted governing the time, place, manner and number of cannabis business establishments, and minimum distance limitations between cannabis business establishments and locations the Village deems sensitive (such as schools, libraries, daycare centers, churches, and parks).

V. Commission Questions

Commissioner Legge asked if the Village has been approached by anyone with a current distribution license.

Director Day responded that the Village has only been approached by dispensaries and craft growers.

VI. Public Comment

None.

VII. Motion

*Commissioner Warden made a **motion** to approve the petition of the Village of Fox Lake, requesting a Text Amendment to the Zoning Ordinance allowing various types of recreational Cannabis related businesses according to the recommended revised zones *(below), seconded by Commissioner LaPiana.*

- Craft Growers: B2, B3, B4, M1, M2 & A1
- Dispensaries: D, B2, B3, B4, M1
- Cultivation Center: M1, M2 A1
- Infusers: *D, B2, B3, B4, M1, M2
**Infusers in Zoning District D must have shared premises with a dispensary*
- Cannabis Cafes/Lounges: M1
**Remove D, B2, B3, B4*
- Transporter: M1, M2, &A1

Discussion: None


Roll Call Vote:

<i>Commissioner David Schultz</i>	<i>Aye</i>
<i>Commissioner LaPiana</i>	<i>Aye</i>
<i>Commissioner Niki Warden</i>	<i>Aye</i>
<i>Commissioner Tim Foster</i>	<i>Absent</i>
<i>Commissioner Debra Vander Weit</i>	<i>Absent</i>
<i>Commissioner Legge</i>	<i>Aye</i>
<i>Chairman David Gauger</i>	<i>Aye</i>

VIII. Adjournment

Chairman Gauger closed the hearing at 7:30pm.

Respectfully submitted by,



 Brigitte Weber
 Deputy Clerk