

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: 4h

Title: Plan Commission recommendation regarding a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to separation requirements between Recreational Cannabis Dispensing Organizations and churches

Presenter: Ellen Johnson

Meeting: Planning & Development Committee

Date: February 10, 2020

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

Executive Summary (if not budgeted please explain):

Last fall, the City approved Ordinance 2019-Z-19 which established zoning regulations for Recreational Cannabis Dispensing Organizations. This included a requirement that dispensaries may not locate on a parcel that is within 250 ft. of a parcel containing a school, daycare, church, or single-family residential zoning.

Donald Wickman has submitted an application for General Amendment requesting to modify the method of measuring the 250 ft. separation requirement between recreational cannabis dispensaries and churches by measuring from building-to-building instead of from parcel-to-parcel.

Mr. Wickman suggested that a “building-to-building” separation from churches would be consistent with the measurement method for liquor licenses; however staff noted that zoning separation distances are typically measured parcel-to-parcel, which is simpler from an administrative standpoint. If there is a desire to reduce the distance requirement between recreational cannabis dispensaries and churches, staff recommends a parcel-to-parcel distance of 100 ft., which meets the intent of the application.

The 250 ft. parcel-to-parcel separation for schools, day cares, and single-family residential zoning is not proposed to be changed.

In addition, the referenced 250 ft. separation requirement was approved using the term “church”. However, “church” is not defined in the Zoning Ordinance. As a clean-up measure, staff recommends changing the term to “Place of Worship” which is defined in the ordinance.

Plan Commission Recommendation

During the hearing, the Plan Commission discussed that a building-to-building measurement would allow for a dispensary to locate in portions of larger properties adjacent to a church, such as a shopping center, while a parcel-to-parcel measurement would prohibit the dispensary use over the entire shopping center without regard to the actual distance from a church.

Plan Commission held a public hearing on 2/4/2020 and voted 6-3 to recommend approval of the General Amendment as proposed by Mr. Wickman, with a condition that the term “church” be changed to “Place of Worship” as recommended by staff.

Attachments (please list):

Plan Commission Resolution, Staff Memo, Application

Recommendation/Suggested Action (briefly explain):

Plan Commission recommendation regarding a General Amendment to Title 17 of the St. Charles Municipal Code (Zoning Ordinance) pertaining to separation requirements between Recreational Cannabis Dispensing Organizations and churches

City of St. Charles, Illinois
Plan Commission Resolution No. 3-2020

**A Resolution Recommending Approval of a General Amendment to Ch.
17.20 “Use Standards” pertaining to separation requirements between
Recreational Cannabis Dispensing Organizations and churches
(Donald Wickman)**

Passed by Plan Commission on February 4, 2020

WHEREAS, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Title 17, “Zoning”; and

WHEREAS, the Plan Commission held a public hearing and has reviewed the petition for a General Amendment to Ch. 17.20 “Use Standards” pertaining to separation requirements between Recreational Cannabis Dispensing Organizations and churches (Donald Wickman); and

WHEREAS, in accordance with Section 17.04.320.C, the Plan Commission has considered the following criteria for General Amendment:

1. The Consistency of the proposed amendment with the City’s Comprehensive Plan.

Not in conflict.

2. The Consistency of the proposed amendment with the intent and general regulations of this Title.

The proposed change is consistent with the previously approved requirement of separation between recreational cannabis use and churches.

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

The proposed change is in the calculation of the distance and is more consistent with the calculation of distance as it relates to liquor.

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

The ordinance change would contribute about \$1,000.000 projected sales tax revenue to the City plus the portion of real estate tax lost with the currently vacant and reduced assessment of the property.

5. The extent to which the proposed amendment creates nonconformities.

There are no nonconformities created by the proposal.

6. The implications of the proposed amendment on all similarly zoned property in the City.

The proposed change applies to all applicable zoning districts.

NOW, THEREFORE, be it resolved by the St. Charles Plan Commission to recommend to City Council approval of a General Amendment to Ch. 17.20 "Use Standards" pertaining to separation requirements between Recreational Cannabis Dispensing Organizations and churches (Donald Wickman), subject to the following condition:

1. The term "church" shall be changed to "Place of Worship".

Roll Call Vote:

Ayes: Becker, Funke, Pretz, Kessler, Macklin-Purdy, Melton

Nays: Holderfield, Vargulich, Wallace

Absent: None

Motion carried: 6-3

PASSED, this 4th day of February 2020.

Chairman
St. Charles Plan Commission

Community & Economic Development Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



Staff Report

TO: Chairman Rita Payleitner
And Members of the Planning & Development Committee

FROM: Ellen Johnson, Planner

RE: General Amendment to Title 17 (Zoning Ordinance) – Separation between Recreational Cannabis Dispensing Organizations and Churches

DATE: February 5, 2020

I. APPLICATION INFORMATION:

Project Name: General Amendment – Recreational Cannabis – Church Separation

Applicant: Donald Wickman

Purpose: Change method of measuring the 250 ft. separation requirement between cannabis dispensaries and churches

II. BACKGROUND

Last October, the City approved a General Amendment to the Zoning Ordinance regarding recreational cannabis business establishments under Ordinance 2019-Z-19. The following provisions are now part of the Zoning Ordinance:

- Recreational Cannabis Dispensing Organizations (recreational dispensaries) are permitted as a Special Use in the BC- Community Business and BR- Regional Business zoning districts.
- Use Standards:
 - The number of recreational dispensaries is limited to two, one on each side of the Fox River.
 - One of the two dispensaries shall have operated as a Medical Cannabis Dispensing Organization within St. Charles for at least 1 year, and the other must have operated within Illinois for at least 1 year.
 - **Recreational dispensaries may not be located on a parcel that is within 250 ft. of a parcel containing a school, day care center, day care home, church, or single-family zoning.**
 - Recreational dispensaries may not be located within 1,500 ft. of another cannabis dispensary (recreational or medical).
 - On-site consumption is prohibited.
 - Special Use approval is conditional upon receipt of an Adult Use Dispensing Organization License from the State of Illinois.

During its review of the General Amendment, the Plan Commission discussed several options for separation requirements between recreational cannabis dispensaries and other land uses deemed sensitive. Part of the Plan Commission's recommendation to Planning & Development Committee was to impose 250 ft. of separation between recreational cannabis dispensaries and schools, day cares, and residential zoning. These uses were based on existing separation requirements for medical cannabis dispensaries. Churches were not part of the Plan Commission's discussion.

Planning & Development Committee subsequently recommended approval of the same use separation requirements.

At the 10/21/19 City Council meeting prior to the final vote, a motion passed to include churches in the list of sensitive land uses for which 250 ft. of separation is required.

III. PROPOSAL

Donald Wickman has submitted an application for General Amendment requesting to modify the method of measuring the 250 ft. separation requirement between recreational cannabis dispensaries and churches by measuring from building-to-building instead of from parcel lines. The 250 ft. separation for schools, day cares, and residential zoning would continue to be measured from parcel lines.

Specifically, the applicant is proposing the following text change to Chapter 17.20 "Use Standards", Section 17.20.030 "Standards for Specific Uses", AA. "Recreational Cannabis Uses", Item #3:

A Recreational Cannabis Dispensing Organization shall not be located on a parcel that is within 250 ft. of a parcel containing a pre-existing Primary or Secondary School, Private Boarding School, Day Care Center, Day Care Home, Church, or a parcel within a single-family residential zoning district, specifically the RE-1, RE-2, RS-1, RS-2, RS-3, RS-4, RT-1, RT-2, RT-3, and RT-4 districts. In addition a Recreational Cannabis Dispensing Organization shall not be located within a building that is within 250 ft. of a building containing a church.

IV. ANALYSIS

Requested is to measure the referenced 250 ft. separation requirement as the distance between a church building and a recreational cannabis dispensary building.

From a zoning perspective, it is typical to measure any separation requirement as the distance between parcel lines as opposed to buildings. Buildings change over time; buildings additions and/or new construction on a lot may result in a shorter distance between the sensitive use over time. Measuring from property lines ensures a minimum separation regardless of how the buildings change. While parcel lines can be modified, it is generally the more reliable option for a point of measurement. In addition, measuring from parcel lines is simpler from an administrative standpoint. Parcel data available to staff through the City's Geographic Information Systems (GIS) can be utilized for parcel-to-parcel measurements. For building-to-building measurements, current plats of survey would be required. Plats of survey would need to be provided by property owners as the City does not possess plats of survey for private property.

The applicant notes in the Findings of Fact that the proposed change to calculate the distance from buildings is consistent with the calculation of distance for liquor licenses. This is in reference to the State of Illinois Liquor Control Act which contains a requirement that a retail

liquor license may not be issued for a location within 100 ft. of a church. The 100 ft. distance is to be measured to the nearest part of the church building, not to the property boundaries (235 ILCS 5/6-11). However, this requirement is not a standard contained in the Zoning Ordinance.

The Zoning Ordinance contains separation requirements for four other uses, all of which are to be measured from parcel lines:

- **Adult Use:** 1,000 ft. from any residential district, CBD-1, CBD-2, BT Overlay District, or PL District, or within 1,000 ft. of a place of worship, school or another adult use.
- **Kennel:** Outdoor runs and exercise areas shall be a minimum of 1,000 ft. from any residential district.
- **Medical Cannabis Dispensing Organization:** 1,000 ft. from the property line of schools, day cares and group homes.
- **Medical Cannabis Cultivation Center:** 2,500 ft. from the property line of schools, day cares, group homes, or residential zoning.

Alternative Options

- As stated above, retaining a parcel-to-parcel measurement would be more consistent with existing zoning regulations and simpler to administer. If there is interest in reducing the separation requirement between recreational cannabis dispensaries and churches, a shorter distance measured from parcel lines could be suggested. For example, 100 ft. instead of 250 ft.
- Conversely, a recommendation could be made to eliminate the church separation requirement.

Additional Item

The referenced 250 ft. separation requirement was approved by City Council using the term “church”. However, “church” is not defined in the Zoning Ordinance. As a clean-up measure, staff recommends amending the term to “Place of Worship”, which is defined in Ch. 17.30 as follows:

“A church, temple, synagogue, mosque or other religious place of assembly, which may or may not include schools and/or meeting facilities and accessory uses such as a parish house, recreational facilities and other non-profit operations that serve members of the religious organization.”

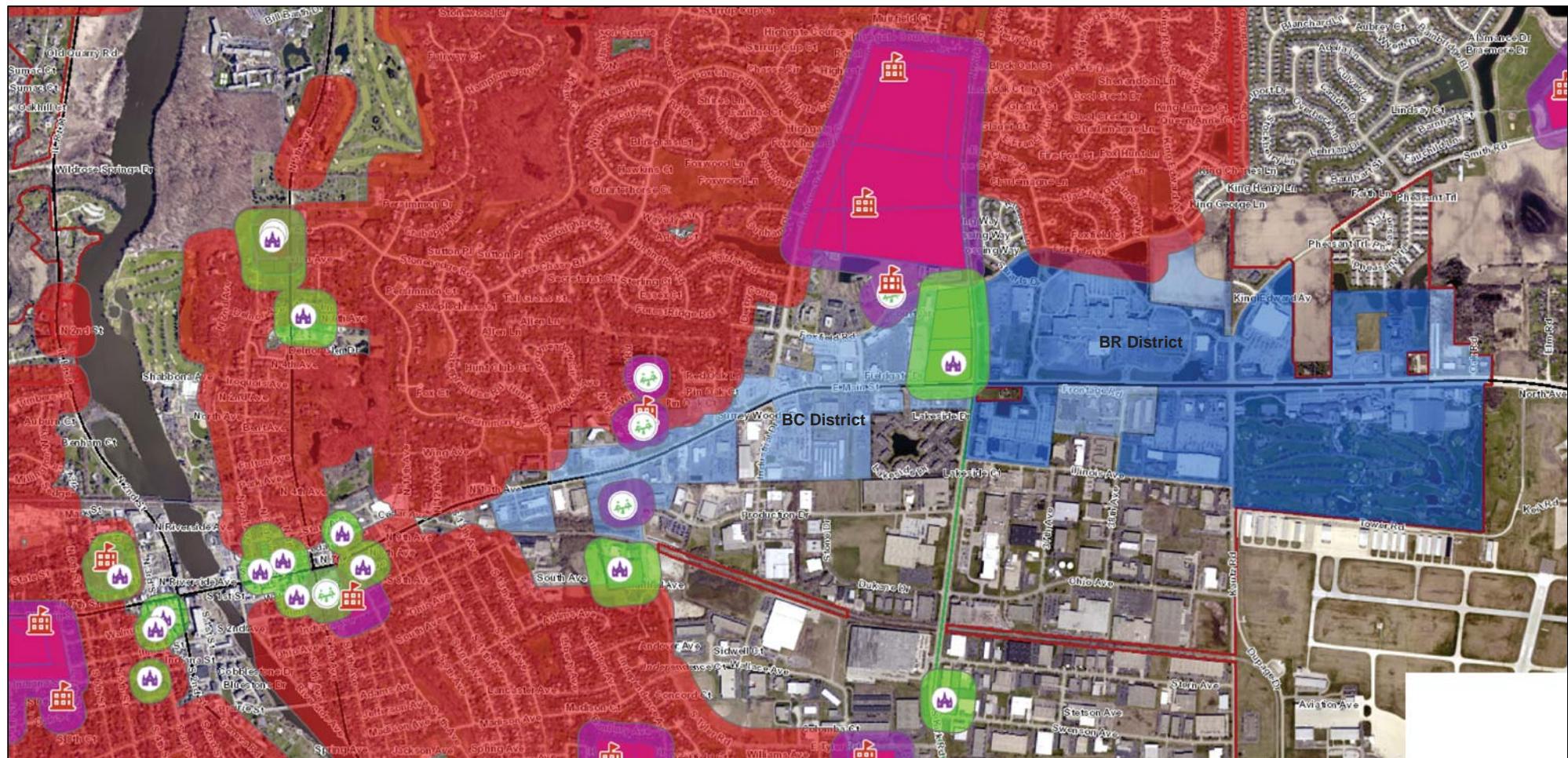
IV. PLAN COMMISSION RECOMMENDATION

Plan Commission held a public hearing on 2/4/2020 and voted 6-3 to recommend approval of the General Amendment as proposed, with a condition that the term “church” be changed to “Place of Worship”.

V. ATTACHMENTS

- 250 ft. Buffer Maps (churches shown in green)
- Application for General Amendment; received 12/20/19
- Ordinance 2019-Z-19

East Side: 250 ft. Buffer from Churches, Schools/Daycares & Single-Family Zoning



October 17, 2019

BC and BR Zoning

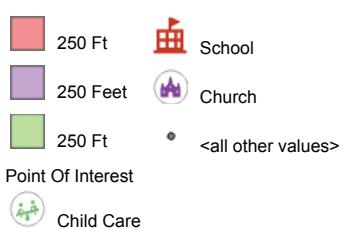
BC

88

BR

 250 Ft

 Church Properties Point Of Interest



1·16 000

0.35

0.7 mi

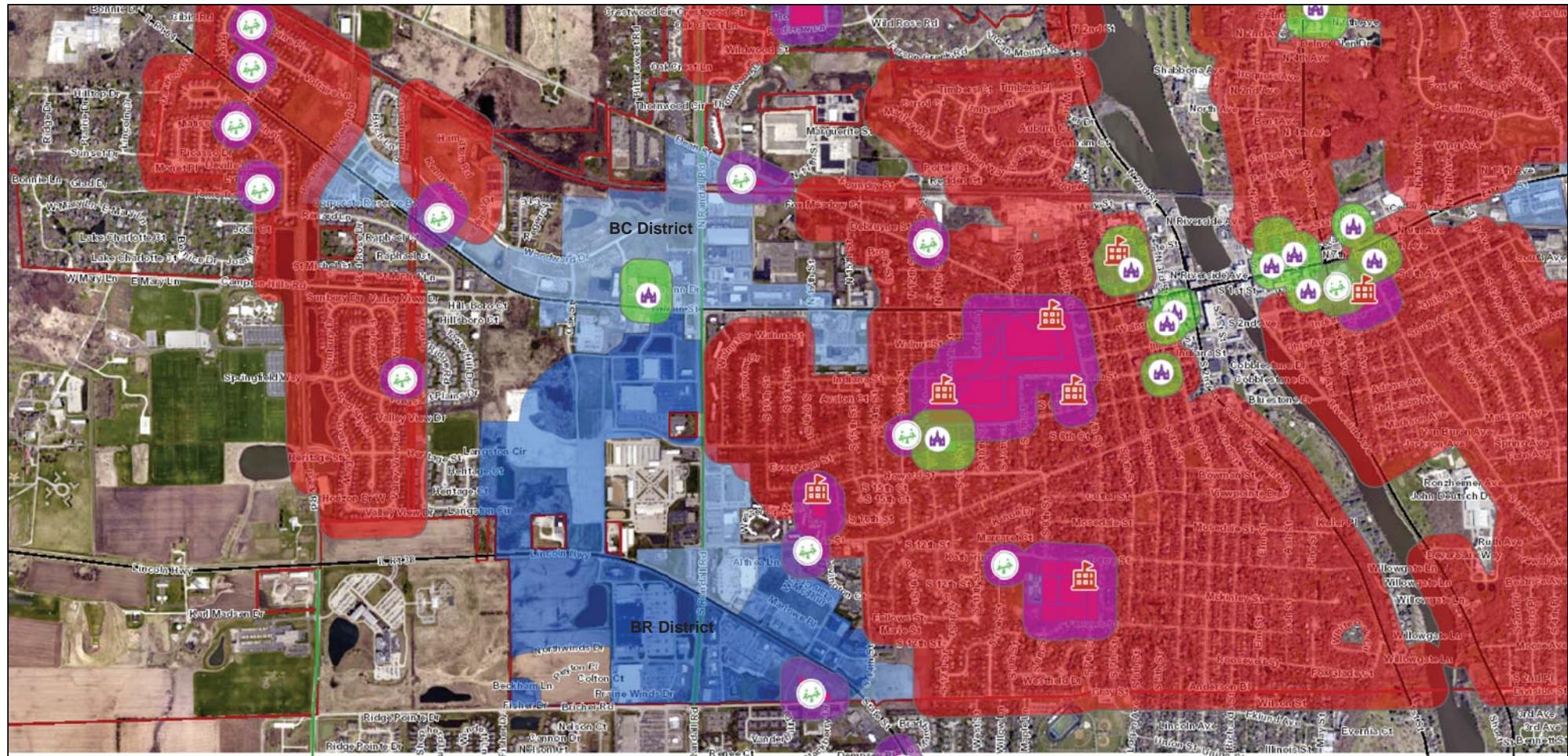
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Keith Nightlinger

West Side: 250 ft. Buffer from Churches, Schools/Daycares & Single-Family Zoning



October 17, 2019

1:16,000

BC and BR Zoning

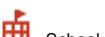
BC

BR

Church Properties

School Day Care Property Boundaries

250 Ft



School

250 Feet



Church

250 Ft



<all other values>

Point Of Interest

Child Care

0 0.17 0.35 0.7 mi
0 0.3 0.6 1.2 km

Keith Nightlinger

CITY OF ST. CHARLES
 TWO EAST MAIN STREET
 ST. CHARLES, ILLINOIS 60174-1984



COMMUNITY DEVELOPMENT DIVISION

PHONE: (630) 377-4443 EMAIL: cd@stcharlesil.gov

GENERAL AMENDMENT APPLICATION

CITYVIEW	GA - Rec. Cannabis - Church Separation
Project Name:	
Project Number:	2019 -PR- 026
Cityview Project Number:	PLGA 201900189



Instructions:

To request an amendment to the text of the St. Charles Zoning Ordinance (City Code Title 17), complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

Applicant:	Name <i>DONALD WICKMAN</i>	Phone <i>630-319-7447</i>
	Address <i>1213 WINNERS CUP CIRCLE ST CHARLES, IL 60174</i>	Fax <i>630-377-1525</i>
		Email <i>DON@WICKMANPROPERTIES.COM</i>

Attachment Checklist

If multiple zoning or subdivision applications are being submitted concurrently, do not submit duplicate checklist items or plans. Fee must be paid for each application.

APPLICATION FEE: Application fee in accordance with Appendix B of the Zoning Ordinance (\$500)

REIMBURSEMENT OF FEES AGREEMENT:

An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.

REIMBURSEMENT OF FEES INITIAL DEPOSIT:

Deposit of funds in escrow with the City. (For a General Amendment application only: \$1,000 deposit.)

FINDINGS: Fill out the attached form or submit responses on a separate sheet.

WORDING OF THE REQUESTED TEXT AMENDMENT

What is the amendment regarding?

CHANGING 250' DISTANCE RESTRICTION TO A CHURCH
FROM CANNABIS RELATED USE

What sections are proposed for amendment?

Chapters(s): 17.20 USE STANDARDS

Section(s): 17.20.030. AA.3

The wording of the proposed amendment: Insert below or attached wording on a separate page.

REMOVE "CHURCH" AND ADD SENTENCE - IN ADDITION A RETAIL/TERMINAL

DISPENSING CANNABIS ORGANIZATION SHALL NOT BE LOCATED WITHIN A

BUILDING THAT IS WITHIN 250' OF A BUILDING CONTAINING A CHURCH.

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.



Applicant

Dec 16, 2019

Date

FINDINGS OF FACT – GENERAL AMENDMENT



The St. Charles Zoning Ordinance requires the Plan Commission to consider factors listed below in making a recommendation to the City Council.

As an applicant, the “burden of proof” is on you to show why the proposed amendment is appropriate. Therefore, you need to “make your case” by explaining how the following factors support your proposal. If a factor does not apply to the amendment in question, indicate “not applicable” and explain why it does not apply.

Amendment Description/Ordinance Section Number

Date

From the Charles Zoning Ordinance, Section 17.04.320.C:

In making its recommendation to grant or deny an application for a Zoning Text Amendment, the Plan Commission shall consider:

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

NOT IN CONFLICT

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

IS CONSISTANT WITH PREVIOUSLY APPROVED REQUIREMENT
OF SEPARATION BETWEEN RECREATIONAL CANNABIS USE AND
CHURCHES

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

PROMPTED CHANGE IS IN THE CALCULATION OF THE DISTANCE
AND IS MORE CONSISTENT WITH THE CALCULATION OF DISTANCE
AS IT PERTAINS TO LIQUOR

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

THE ORDINANCE CHANGE WOULD CONTRIBUTE ABOUT \$1,000,000
PROJECTED SALES TAX REVENUE TO THE CITY PLUS THE
PORTION OF REAL ESTATE TAX LOST WITH THE CURRENTLY
UNCAT AND REDUCED ASSESSMENT OF THE PROPERTY

5. The extent to which the proposed amendment creates nonconformities.

THERE WERE NO NONCONFORMITIES CREATED BY THE PROPOSAL

6. The implications of the proposed amendment on all similarly zoned property in the City.

THIS PROPOSED CHANGE APPLIES TO ALL ZONING DISTRICTS

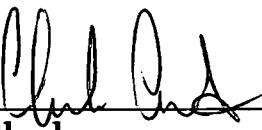
City of St. Charles, Illinois

Ordinance No.: 2019-Z-19

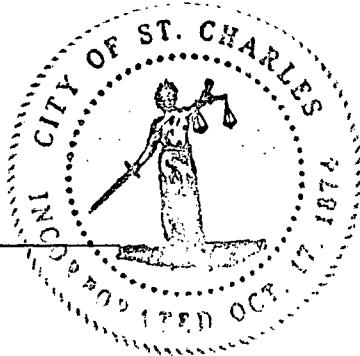
**An Ordinance Amending Title 17 of the St.
Charles Municipal Code
Entitled “Zoning”, Ch. 17.14 “Business and
Mixed Use Districts”, Ch. 17.20 “Use
Standards”, Ch. 17.24 “Off-Street Parking,
Loading & Access” and Ch. 17.30
“Definitions” (Recreational Cannabis Uses)**

**Adopted by the
City Council
of the
City of St. Charles
October 21, 2019**

Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, **October 28, 2019**



City Clerk



(S E A L)

**City of St. Charles, IL
Ordinance No. 2019-Z-19**

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled “Zoning”, Ch. 17.14 “Business and Mixed Use Districts”, Ch. 17.20
“Use Standards”, Ch. 17.24 “Off-Street Parking, Loading & Access” and Ch.
17.30 “Definitions” (Recreational Cannabis Uses)**

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (Act), which pertains to the possession, use, cultivation, transportation and dispensing of adult-use cannabis, which became effective June 25, 2019 and which will legalize the sale of adult-use cannabis as of January 1, 2020; and,

WHEREAS, pursuant to the Act, the City may enact reasonable zoning ordinances 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 City deems sensitive; and,

WHEREAS, on or about August 27, 2019, the City of St. Charles (“the Applicant”) filed an Application to amend Title 17 of the St. Charles Municipal Code, the Zoning Ordinance of the City of St. Charles regarding the regulation of recreational cannabis uses; and,

WHEREAS, Notice of Public Hearing on said Application was published on or about August 30, 2019, in a newspaper having general circulation within the City, to-wit, the Daily Herald newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about September 17, 2019 and October 8, 2019 on said Application in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said Application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the Application on or about October 8, 2019; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the Application on or about October 14, 2019; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

2. That Title 17, "Zoning", Chapter 17.14 "Business and Mixed Use Districts", Table 17.14-1 "Permitted and Special Uses" of the St. Charles Municipal Code is hereby amended by adding a new row for "Recreational Cannabis Dispensing Organization", to be listed as a Special Use in the BC Community Business and BR Regional Business Districts, under the subcategory "Coffee or Tea Room", as shown below:

TABLE 17.14-1 BUSINESS AND MIXED USE DISTRICTS PERMITTED AND SPECIAL USES							
P=Permitted Use S=Special Use A=Permitted Accessory Use SA=Special Use, Accessory Only	ZONING DISTRICT						SPECIFIC USE STANDARDS
	BL	BC	BR	CBD-1	DOWNTOWN OVERLAY FIRST FLOOR	CBD-2	
					CBD-1	CBD-2	
RETAIL AND SERVICE USES							
Recreational Cannabis Dispensing Organization		S	S				Section 17.20.030

3. That Title 17, "Zoning", Chapter 17.20 "Use Standards", Section 17.20.030 "Standards for Specific Uses" of the St. Charles Municipal Code is hereby amended by adding a new subsection "AA" and renumber existing subsection "AA" as subsection "BB". The new subsection "AA" shall be as follows:

"AA. Recreational Cannabis Uses

1. The number of Recreational Cannabis Dispensing Organizations shall be limited to no more than two (2). Only one (1) Recreational Cannabis Dispensing Organization shall operate on the east side of the Fox River and only one (1) Recreational Cannabis Dispensing Organization shall operate on the west side of the Fox River. No Recreational Cannabis Dispensing Organization shall operate without written authorization from the Director of Community and Economic Development.
2. One of the two Recreational Cannabis Dispensing Organizations shall have operated as a Medical Cannabis Dispensing Organization licensed by the State of Illinois within the St. Charles corporate limits for a minimum consecutive period of one (1) year. One of the two Recreational Cannabis Dispensing Organizations shall have operated as a Medical Cannabis Dispensing Organization licensed by the State of Illinois within the State of Illinois for a minimum consecutive period of one (1) year.

3. A Recreational Cannabis Dispensing Organization shall not be located on a parcel that is within 250 ft. of a parcel containing a pre-existing Primary or Secondary School, Private Boarding School, Day Care Center, Day Care Home, Church, or a parcel within a single-family residential zoning district, specifically the RE-1, RE-2, RS-1, RS-2, RS-3, RS-4, RT-1, RT-2, RT-3, and RT-4 districts.
4. A Recreational Cannabis Dispensing Organization shall not be located within 1,500 ft. of the property line of another Recreational Cannabis Dispensing Organization or Medical Cannabis Dispensing Organization.
5. City approval of a Special Use for Recreational Cannabis Dispensing Organization shall be conditional upon the applicant providing the City with documentation proving receipt of a valid Adult Use Dispensing Organization License, as defined in the Cannabis Regulation and Tax Act, granted from the State of Illinois Department of Financial and Professional Regulation.
6. Consumption of cannabis and cannabis-infused products on the premises of any cannabis business establishment as defined in the Cannabis Regulation and Tax Act shall be prohibited.
7. Recreational Cannabis Cultivation Center, Recreational Cannabis Craft Grower, Recreational Cannabis Infuser Organization or Infuser, Recreational Cannabis Processing Organization, and Recreational Cannabis Transporting Organization shall not be permitted in any zoning district.”

4. That Title 17, “Zoning”, Chapter 17.24 “Off-Street Parking, Loading and Access”, Section 17.24.140 “Required Off-Street Parking Spaces”, Table 17.24-3 “Required Off-Street Parking” of the St. Charles Municipal Code is hereby amended by adding a new row for “Recreational Cannabis Dispensing Organization” and indicating the parking requirement for said use is 4 spaces per 1,000 square feet of Gross Floor Area, to be listed after “Pet Care Facilities”, as shown below:

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	PARKING REQUIREMENT
RETAIL AND SERVICE USES	
Recreational Cannabis Dispensing Organization	4 per 1,000sf of GFA

5. That Title 17, “Zoning”, Chapter 17.30 “Definitions”, Section 17.30.020 “Use Definitions” of the St. Charles Municipal Code is hereby amended by adding the following definitions:

Recreational Cannabis Dispensing Organization. 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. A facility that only acquires and dispenses medical

cannabis to registered medical cannabis patients shall be considered a Medical Cannabis Dispensing Organization, as defined herein.

Recreational Cannabis Cultivation Center. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport, and perform other necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act.

Recreational Cannabis Craft Grower. 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.

Recreational Cannabis Infuser Organization or Infuser. 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.

Recreational Cannabis Processing Organization. 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.

Recreational Cannabis Transporting Organization. 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.

6. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 21st day of October, 2019.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 21st day of October, 2019.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties,
Illinois this 21st day of October, 2019.



Raymond P. Rogina, Mayor

Attest:



Charles Amenta, City Clerk

COUNCIL VOTE:

Ayes: 6

Nays: 3

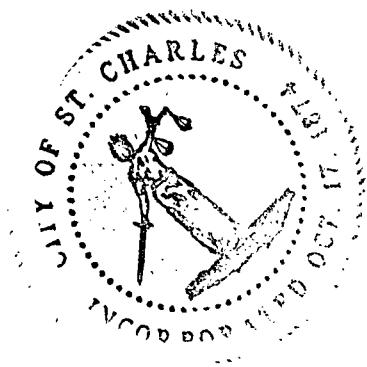
Absent: 1

Abstain: 0

APPROVED AS TO FORM:

City Attorney

DATE: _____



State of Illinois)
)
 ss.
Counties of Kane and DuPage)

Certificate

I, CHUCK AMENTA, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

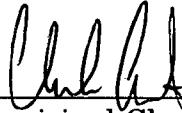
I further certify that on **October 21, 2019**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2019-Z-19** entitled:

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled "Zoning", Ch. 17.14 "Business and Mixed Use Districts", Ch. 17.20 "Use
Standards", Ch. 17.24 "Off-Street Parking, Loading & Access" and Ch. 17.30
"Definitions" (Recreational Cannabis Uses)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2019-Z-19**, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on **October 28, 2019**, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this **21st** day of **October 21, 2019**.



Municipal Clerk

(S E A L)

