



Village of Addison

COMMUNITY DEVELOPMENT DEPARTMENT

BUILDING • CODE ENFORCEMENT • ENGINEERING • ZONING

AGENDA

PLANNING AND ZONING COMMISSION

PUBLIC HEARING/BUSINESS MEETING

WEDNESDAY, APRIL 10, 2024

DATE: Wednesday, April 10, 2024

TIME: 7:00 P.M.

PLACE: Addison Village Hall
1 Friendship Plaza
Addison, IL 60101

Chair – Marianne Fotopoulos

Member – Joseph Ariano

Member – Edward Cargill

Member – Donald McComb

Member –

Member – Timothy Schmitt

Member – Mark Turk

I. CALL TO ORDER – ROLL CALL

II. CONSIDERATION TO APPROVE THE MINUTES OF THE MARCH 13, 2024 PLAN COMMISSION MEETING

III. PUBLIC HEARINGS AND RECOMMENDATIONS

1. **File #PZ-24-02**, consideration regarding proposed Text Amendments to Section VI.D.I and Section VI.F.4 of the Zoning Ordinance of the Village of Addison with respect to adult use cannabis cultivation centers and adult use cannabis dispensing organizations

Petitioner: Village of Addison

This file was published in the March 25, 2024 issue of the Daily Herald Newspaper.

Consideration of File #PZ-24-02 as described above.

IV. AUDIENCE PARTICIPATION

V. OTHER BUSINESS AT THE DISCRETION OF THE CHAIRMAN

VI. ADJOURNMENT

Approved: Michael Crandall
Michael Crandall
Director, Community Development

Pending

"In compliance with the Americans with Disabilities Act and other applicable federal and state laws, Village of Addison meetings will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact Don Pinson, Director of Human Resources/Risk Management, 1 Friendship Plaza, Addison, Illinois 60101, or call 630-543-4100, ext. 7505, five (5) days prior to meeting to inform of their anticipated attendance. Text Telephone (TTY) users may use the Addison Police Department's non-emergency number, 630-543-3080."



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COMMUNITY DEVELOPMENT DEPARTMENT

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April 10, 2024

MEMORANDUM

TO: MARIANNE FOTOPOULOS, CHAIR
AND MEMBERS OF THE PLANNING AND ZONING COMMISSION

FROM: MIKE CRANDALL, COMMUNITY DEVELOPMENT DIRECTOR *M.C.*
JENNIFER HENAGHAN, ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT *JH*

RE: RECOMMENDATION
PZ 24-02, TEXT AMENDMENTS: CONSIDERATION OF HEARING
TESTIMONY REGARDING PROPOSED TEXT AMENDMENTS TO
SECTION VI.D.1 AND SECTION VI.F.4. OF THE ZONING ORDINANCE OF
THE VILLAGE OF ADDISON WITH RESPECT TO ADULT USE CANNABIS
CULTIVATION CENTERS AND ADULT USE CANNABIS DISPENSING
ORGANIZATIONS.

SUMMARY OF REQUEST

The Village is proposing text amendments that would make it unlawful to operate a cannabis dispensary between the hours of 10:00 p.m. and 9:00 a.m. The proposed amendments to the Zoning Ordinance would duplicate the Village's operating hour restrictions for cannabis business establishments that are proposed for Section 13.69 of the Village Code.

RECOMMENDATION

Staff finds that the proposed text amendments comply with the standards set forth in the Zoning Ordinance and, therefore, staff recommends approval of the requested actions.

SUPPORTING DOCUMENTS

Attached for your review are the following:

- Notice of Public Hearing

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LEGAL NOTICE
Notice of Public Hearing

The Planning & Zoning Commission of the Village of Addison will hold a public hearing on Wednesday, the 10th day of April 2024 at 7:00 p.m. in the Village Board Room of the Addison Municipal Building at 1 Friendship Plaza, Addison, Illinois to hear the following proposal:

File # PZ-24-02, Consideration of hearing testimony regarding proposed Text Amendments to Section VI.D.1 and Section VI.F.4. of the Zoning Ordinance of the Village of Addison with respect to adult use cannabis cultivation centers and adult use cannabis dispensing organizations.

Petitioner: Village of Addison

A copy of the proposed text amendments may be viewed at the offices of the Department of Community Development, Addison Municipal Building. All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Plans are on file for public review at the offices of the Community Development Department, Village Hall, 1 Friendship Plaza.

Marianne Fotopoulos, Chair
Planning & Zoning Commission
Village of Addison
Addison, Illinois

Daily Herald Newspaper
Issue of March 25, 2024

**ORDINANCE AMENDING CERTAIN PROVISIONS OF THE VILLAGE OF
ADDISON CODE AND ZONING ORDINANCE WITH RESPECT TO CANNABIS BUSINESS
ESTABLISHMENTS**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Addison, DuPage County, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees find and hereby declare that it is in the best interests of the Village to amend certain provisions of the Village Code and Zoning Ordinance with respect to the cannabis business establishments;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF ADDISON, DU PAGE COUNTY, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The recitals set forth hereinabove are hereby adopted as findings of fact as if said recitals were fully set forth within this Section One. All references to the "Zoning Ordinance" shall mean and refer to Chapter 22 of the Addison Village Code.

SECTION TWO: Subsection (D) of Section 13-69 of Chapter 13 of the Village Code of the Village of Addison, shall be and is hereby amended in its entirety so that Section 13-69(D) shall hereafter be and read as follows:

- (D) It shall be unlawful to operate any Dispensary between the hours of 10:00 p.m. and 9:00 a.m.

SECTION THREE: Section VI.D.1 of the Zoning Ordinance of the Village of Addison, which sets forth permitted uses in the M2 General Manufacturing District, shall be and is hereby amended in its entirety so that Section VI.D.1 shall hereafter be and read as follows:

1. Permitted Uses.
 - a. Uses as permitted in the M1 District.
 - b. Adult uses, but not within 1,000 feet of any residential area.
 - c. Currency exchanges.
 - d. Manufacturing, assembling, disassembling, fabricating, repairing, storing, cleaning, servicing or testing establishments as determined by operations

conforming with performance standards for M2 Districts as set forth in Section VI.B of this ordinance.

- e. Non-passenger vehicle renting or leasing. (Non-passenger vehicle rental or leasing shall include any of the following: truck, boat, motor-cycle, golf cart, other motorized conveyance, or towed trailer of any kind).
- f. Precious metal and gem dealers.
- g. Pawnbrokers.
- h. Pay day loan services.
- i. Title loan offices.
- j. Registered medical cannabis dispensing organization.*
- k. Registered medical cannabis cultivation center.*
- l. Resale shops, rummage shops and second-hand goods stores.
- m. No more than 0 Licensed Adult Use Cannabis Cultivation Centers.
- n. No more than 2 Licensed Adult Use Cannabis Dispensing Organizations.

Any use permitted under Subparagraphs VI.D.1.m and n above shall be open for business between the hours of 9:00 a.m. and 10:00 p.m. only.

No Cannabis Business Establishment shall be located within two-hundred and fifty (250) feet of any residential structure.

SECTION FOUR: Section VI.F.4 of the Zoning Ordinance of the Village of Addison, which sets forth permitted uses in the M4 Office-Research/Industrial District, shall be and is hereby amended in its entirety so that Section VI.F.4 shall hereafter be and read as follows:

4. Permitted Uses.

- a. Artwork, commercial graphics and drafting services.
- b. Bingo parlors.
- c. Bookbinding, engraving, lithographing, photoengraving, printing, and publishing.
- d. Blueprinting and photostating and photocopying services.
- e. Banks, Savings and Loan Associations, and other financial service offices.
- f. Clinics, Medical and Dental with related stresstesting and examination facilities; and facilities for education in preventive medicine.

- g. Public and private clubs and lodges, including health clubs and related recreation facilities.
- h. Hotels and motels with related retail and service facilities as defined in section t. below.
- i. Laboratories for research and development, including testing of products.
- j. Business offices such as corporate headquarters, district, branch, sales, insurance, real estate, advertising, computer facility and other similar business offices.
- k. Professional offices such as medical and dental offices and clinics, legal offices, certified public accountants and other similar professional offices.
- l. Governmental offices, but not including vehicular maintenance or service buildings.
- m. Sales offices, with incidental repairs and service, for business and office equipment and supplies with incidental storage of parts and supplies not to exceed a storage area of 100 percent of the gross square foot area of the sales area and offices.
- n. Wholesale sales, showrooms, displays and offices.
- o. Restaurants, but excluding drivethrough and drivein restaurants.
- p. Business and professional schools; data processing, electronic, and corporate training facilities; and other similar educational and training facilities.
- q. Public service uses such as electric and telephone substations, but not including transmitting or receiving towers or microwave facilities as a principal use.
- r. Radio and television studios but not including broadcasting towers.
- s. Theaters, indoor.
- t. Retail and service uses, limited to barber and beauty shops; drug stores; gift shops, newspaper, tobacco and candy stores; office supply stores, travel agencies; car rental services with storage of no more than five automobiles (no maintenance or washing of these vehicles allowed on site); and valet services. These uses shall be located within a hotel, motel or office building; shall not occupy more than 25 percent of the gross

ground floor area of such building; and shall not have a separate exterior entrance or any exterior sign.

- u. Warehousing, storage and distribution.
- v. Accessory uses.
- w. Assembly, fabrication, and processing of goods, materials or products, providing that all operations of the establishment shall conform to the performance standards for the district, and further provided that before issuing any occupancy permit, the Planning & Zoning Administrator shall be given information by the applicant sufficient to enable the Planning & Zoning Administrator to determine that all performance standards of this Section can and will be complied with at all times. At the request of the Planning & Zoning Administrator the applicant shall provide:
 - (1) A plot plan showing the location of all present and proposed structures, waste disposal areas and other construction features relevant to the proposed operations.
 - (2) A description of the activity to be conducted in sufficient detail to indicate the extent to which the proposed operation will produce waste products, conditions, or external effects which are regulated or otherwise limited by this Section.
 - (3) A description of the type and location of any abatement devices, waste disposal measures or recording instruments used to control or measure conformity with any of the standards set forth herein.
 - (4) Such other data and certification as may reasonably be required by the Planning & Zoning Administrator to reach a determination.

All information and evidence submitted in application to indicate conformity with the performance standards set forth herein shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

- x. Registered medical cannabis dispensing organizations;
- y. Registered medical cannabis cultivation center;
- z. No more than 0 Licensed Adult Use Cannabis Cultivation Centers;
- aa. No more than 0 Licensed Adult Use Cannabis Dispensing Organizations.

Any use permitted under Subparagraphs VI.F.4.z and aa above shall be open for business between the hours of 9:00 a.m. and 10:00 p.m. only.

No Cannabis Business Establishment shall be located within two-hundred and fifty (250) feet of any residential structure.

SECTION FIVE: Those portions of the Village Code and Zoning Ordinance of the Village which are not specifically amended or repealed herein shall be and are hereby ratified and affirmed and shall remain in full force and effect.

SECTION SIX: This Ordinance shall be in full force and effect immediately from and after its passage and approval pursuant to 65 ILCS 5/1-2-4, as this ordinance contains a response to an urgent issue in the Village, and provided that the corporate authorities, by a vote of 2/3 of all members then holding office, so direct.

PASSED THIS _____ day of _____, 2024.

AYES:
NAYS:
ABSENT:

APPROVED THIS _____ day of _____, 2024.

Mayor

ATTEST:

Village Clerk

Published _____