

**VILLAGE OF HUNTLEY
PLAN COMMISSION MEETING**
Tuesday, November 12, 2019
MINUTES

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CALL TO ORDER

Chairman Tom Kibort called to order the Village of Huntley Plan Commission meeting for November 12, 2019 at 6:30 pm in the Municipal Complex Village Board Room at 10987 Main Street, Huntley, Illinois 60142. The room is handicap accessible.

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PLEDGE OF ALLEGIANCE

Chairman Kibort led the Pledge of Allegiance.

ROLL CALL

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PLAN

COMMISSIONERS: Commissioners Ron Hahn, Darci Chandler, Terra DeBaltz, Lori Nichols, Robert Chandler, Vice Chair Dawn Ellison, and Chairman Tom Kibort.

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COMMISSIONERS ABSENT:

None.

ALSO PRESENT:

Village Manager David Johnson, Director of Development Services Charles Nordman, Development Manager Margo Griffin, and Special Counsel Betsy Gates-Alford

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4. Public Comments None.

5. Approval of Minutes

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A. Approval of the October 14, 2019 Plan Commission Meeting Minutes

No additions or corrections were noted.

A MOTION was made to approve the October 14, 2019 Plan Commission Meeting Minutes.

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MOVED: Commissioner Lori Nichols

SECONDED: Vice Chair Ellison

AYES: Commissioners Hahn, Nichols, Darci Chandler, Robert Chandler, Vice Chair Dawn Ellison, and Chairman Tom Kibort

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NAYS: None

ABSTAIN: Commissioner DeBaltz

MOTION CARRIED 6:0:1

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6. Public Hearing(s)

A. Petition No. 19-11.1, Village of Huntley, as petitioner, Request is for consideration of potential text amendments to the Village of Huntley Zoning Ordinance regarding adult-use cannabis business establishments operating in accordance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.*

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A MOTION was made to open the public hearing to consider Petition No. 19-11.1.

MOVED: Vice Chair Ellison

SECONDED: Commissioner Robert Chandler

5 **AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice Chair Ellison, and Chairman Kibort.**

NAYS: None

ABSTAIN: None

MOTION CARRIED 7:0:0

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Chairman Kibort stated that a public hearing is being conducted and all audience members that would like to speak tonight, must sign in. He also stated they would be sworn in, under oath as this proceeding is legal testimony. Chairman Kibort then asked anyone wishing to speak to stand up and be sworn in. The following individuals were sworn in:

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Charles Nordman, Director of Development Services, Village of Huntley

Betsy Gates-Alford, Special Counsel, Filippini Law Firm

Dolores Mundt, 13280 Cold Springs Drive, Huntley

Jennifer Galloway, 12820 Timber Creek Drive, Huntley

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Liz Stuyvesant, 13362 Arboretum Lane, Huntley

Alice Costabile, 12887 Norfolk, Huntley

Geri Levine, 13701 12856 Timber Creek Drive, Huntley

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After the swearing in, Chairman Kibort announced the Village's Special Counsel and staff would be giving a presentation and he introduced Betsy Gates-Alford and Director Nordman.

Cannabis Regulation and Tax Act

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Special Counsel Gates-Alford gave a brief slide show presentation. Counsel began by reviewing the State of Illinois Cannabis Regulations and the Tax Act. The Cannabis Regulation and Tax Act was signed into law in June 2019. The Act permits (subject to various limitations and restrictions) the production, sale, possession, and use of recreational adult-use cannabis and cannabis-containing products (cannabis concentrates produced by extracting cannabinoids from the cannabis plant as well as foods, beverages, oils, ointments, tinctures, topical formulations, and other products containing cannabis that are not intended to be smoked) under Illinois law beginning on January 1, 2020.

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Special Counsel stated the Act preempts home rule authority, except for limited powers that are expressly reserved to local governments. Local governments cannot regulate personal use and possession of recreational cannabis in a manner that is more restrictive than State law. Municipalities can enact a tax on the retail sale of adult-use (non-medical) cannabis and cannabis-containing products. The maximum rate of the tax is 3%.

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Cannabis Businesses

Special Counsel Gates-Alford continued her review with information on Cannabis Businesses, and stated the businesses will be exclusively licensed by the State in the following categories:

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- Dispensing organizations (or dispensaries), where Adult-Use Cannabis is sold to consumers at retail.
- Cultivation centers, which are fully enclosed growing facilities with up to 210,000 square feet of canopy space for plants in the flowering state.

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- Craft growers, which are fully enclosed growing facilities with up to 5,000 square feet of canopy space for plants in the flowering state.

- Infusers and processing organizations.
- Transporting organizations (or transporters), which are businesses that transport cannabis in motor vehicles between other licensed Cannabis Businesses.

Local Regulation and Zoning of Cannabis Businesses

Special Counsel continued with information on local regulation and zoning. The Act allows municipalities to adopt ordinances prohibiting cannabis businesses. If the Village decides to allow them, it may exercise zoning authority to regulate cannabis businesses in a manner that is not stricter than, or in conflict with, State law. Specifically, the Village may:

- Enact reasonable zoning regulations for cannabis businesses;
- Establish minimum distance requirements between cannabis businesses and sensitive uses;
- Regulate on-premises consumption of cannabis in a cannabis business establishment;
- Enact reasonable regulations, including through special use permits, governing the time, place, manner, and number of cannabis businesses, provided that such regulations do not conflict with or unreasonably restrict business operations authorized by the Act.

Issues for Plan Commission Review and Recommendation

Special Counsel Gates-Alford began her review of the issues the Plan Commission should consider.

ISSUE #1: Whether to Recommend Prohibition of Cannabis Dispensaries.

- The Plan Commission may consider whether adult-use cannabis dispensaries should be allowed or prohibited within the Village.
- Even if the Plan Commission recommends prohibition of dispensaries, it should still consider and make recommendations on the remaining issues.

ISSUE #2: Zoning Districts and Use Classifications.

- What zoning districts within the Village would be appropriate for dispensaries
 - Proposed for Plan Commission discussion: C-2 Regional Retail District
- Whether dispensaries should be classified as a permitted or special use
 - Proposed for Plan Commission discussion: Special use

ISSUE #3: Buffers from Sensitive Uses.

Special Counsel stated the Village can establish minimum distance requirements between dispensaries and uses that the Village considers sensitive. The Plan Commission should consider:

- What uses should be protected by buffers
- What buffer distances are appropriate
 - Proposed for plan commission discussion:
 - 1,000-foot buffer from schools, day care facilities, religious establishments, Park District properties, libraries

- 250-foot buffer from residentially-zoned properties

ISSUE #4: Performance Standards.

5 Special Counsel stated the Village can establish reasonable time, place, and manner regulations for dispensaries. However, these regulations cannot conflict with State law.

- Proposed for Plan Commission discussion:
 - No display of cannabis products visible from outside the dispensary
 - No emission of dust, fumes, vapors, or odors that impact neighboring properties or public ways
 - No electronic changeable signs
 - Must operate in accordance with State law and regulations

15 ISSUE #5: Number of Cannabis Dispensaries.

Special Counsel stated the Village can regulate the number of dispensaries within its jurisdiction.

- Proposed for Plan Commission discussion: Maximum of one (1) cannabis dispensary

20 ISSUE #6: On-Premises Cannabis Consumption.

Special Counsel stated the Village can prohibit or regulate on-premises consumption of cannabis within dispensaries (e.g. smoking lounges).

- Proposed for Plan Commission discussion: Prohibition of on-premises consumption

Special Counsel Gates-Alford concluded her presentation and stated Director Nordman would also be presenting information to the Plan Commission.

Staff Review of the Village Board Referral

Director Nordman thanked Special Counsel and began his presentation with a review of the Village Board's previous discussions and their decision to bring the petition to the Plan Commission for consideration and review:

- On October 10, 2019, the Village Board approved Resolution (R)2019-10.61 by a vote of 4-3 directing the Plan Commission to hold a public hearing on the questions of whether:
 - the Zoning Ordinance should be amended to include a Cannabis Business dispensary, without on-site consumption, as a permitted or special use in the Village's various zoning districts; and
 - the Zoning Ordinance should be amended to establish other Cannabis Business Regulations that may be necessary, important, or beneficial to the Village and its residents consistent with the Act.

Director Nordman stated the Village Board adopted a resolution directing the Plan Commission to make a recommendation to the Village Board regarding the above subjects, along with any other conditions that should be attached to the zoning of Cannabis Businesses.

The resolution was a result of discussion that determined it was the consensus of the Village Board to provide the Plan Commission with the following direction for amending the Zoning Ordinance:

- Allow Cannabis Dispensaries only.

- Prohibit Cultivation Centers, Craft Growers, Infusers and Processing organizations, and Transportation organizations/transporters.
- Prohibit the on-site consumption of cannabis.

5 Director Nordman stated additional considerations discussed were to allow only one (1) cannabis dispensary within the Village and to follow the zoning regulations that are applicable to Tobacco and Vape Shops.

10 Tobacco and Vape Shops are allowed only in the “C-2” Regional Retail zoning district and they must be no less than 1,000 feet from a building used as a school, childcare facility, or for the education or recreation of children under 18 years of age. Director Nordman reviewed a slide with the 2019 zoning map of the Village and showed the commissioners and audience the locations for C-2 zoning.

15 Director Nordman continued his presentation with slides showing buffer areas for Sensitive Uses. The first slide displayed the C-2 zoning in Regency Square commercial development and he indicated areas which would require a 1,000-foot buffer from a child care center, and also a 250-foot buffer from residential property. He then proceeded to review the C-2 zoning in the Village Green commercial development and indicated a 1,000-foot buffer would be required due to a school located in Gateway Commons. Director Nordman stated the “acceptable” areas remaining for a Cannabis Dispensary would be the northern half of Regency Square, and the southern two-thirds of Village Green.

20 Director Nordman stated the proposed amendments for Plan Commission consideration have been prepared based on the direction provided by the Village Board, as follows:

25 **PROPOSED ZONING ORDINANCE AMENDMENTS**

Section 156.011, entitled “Definitions” of Article II, entitled “Interpretations and Definitions,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part to add the following new definitions:

30 **CANNABIS BUSINESS ESTABLISHMENT: An adult-use cannabis craft grower, cultivation center, dispensary, infuser, processing, or transporter organization operating pursuant to the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as it may be amended from time-to-time.**

35 **CANNABIS CRAFT GROWER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “craft grower” 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, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.**

40 **CANNABIS CULTIVATION CENTER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “cultivation center” to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.**

45 **CANNABIS DISPENSARY: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation as a “dispensing organization” to acquire adult-use cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to qualified**

purchasers per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS INFUSER: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as an “infusing organization” or “infuser” to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS PROCESSOR: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture as a “processing organization” or “processor” 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, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS TRANSPORTER: An organization or business that is licensed by the Illinois Department of Agriculture as a “transporting organization” or “transporter” 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, (410 ILCS 705/1 et seq), as it may be amended from time-to-time, and regulations promulgated thereunder.

CANNABIS-INFUSED PRODUCT: Food, oils, ointments, or other products containing usable cannabis that are not smoked.

Section 156.061, entitled “(C-2) Regional Retail District” of Article VI, entitled “Planned Development District,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

§ 156.061 (C-2) REGIONAL RETAIL DISTRICT

* * *

(B) *Uses.*

* * *

(2) *Special Uses.* Upon recommendation by the Plan Commission after public hearing on petition pertaining thereto, in accordance with the requirements set forth for such hearing in Article VII of this Ordinance, the Village may, by Special Use Permit, allow the following uses in the C-2 District:

* * *

RETAIL SALES – Furniture sales (used), Outdoor sales & service, Secondhand store, adult-use cannabis dispensary.

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Section 156.068, entitled “Special Use Permits” of Article VII, entitled “Special Use Permits,” of Chapter 156, entitled “Zoning Code,” of Title XV, entitled “Land Usage” of the Huntley Code is proposed to be amended in part as follows:

5 (F) *Special Standards for Specified Special Uses.* Where the district regulations authorizing any special use permit in a particular district impose special standards to be met by such use in such district, a permit for such use in such district shall not be recommended or granted unless the applicant shall establish compliance with such special standards.

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(9) Adult-Use Cannabis Dispensaries.

15 a. **Maximum Number of Cannabis Dispensaries: Not more than one adult-use cannabis dispensary (a “Cannabis Dispensary”) shall be permitted to operate within the Village of Huntley at any given time.**

20 b. **Minimum required buffer from protected uses:**

25 (i) **A Cannabis Dispensary may not be located within 1,000 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, or day care center. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.**

30 (ii) **A Cannabis Dispensary may not be located within 1,000 feet of the property line of an existing religious establishment, park district property, or library.**

35 (iii) **A Cannabis Dispensary may not be located within 250 feet of residentially zoned property except when separated by a State highway.**

40 (iv) **For the purposes of this section, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property of the lot on which an applicable Cannabis Dispensary is located to the nearest point on a property line of any protected use. For occupancy purposes, if a portion of the buffer touches the property, it does not exclude the entire property. If a portion of the building is in the buffer, the entire building would be considered in the buffer and not eligible.**

45 (v) **Summary of Buffer Requirements:**

<u>Use</u>	<u>Required Buffer</u>
<u>Schools</u>	<u>1,000 feet</u>

<u>Daycare</u>	<u>1,000 feet</u>
<u>Religious Establishment</u>	<u>1,000 feet</u>
<u>Residentially zoned property*</u>	<u>250 feet</u>
<u>Park District Property</u>	<u>1,000 feet</u>
<u>Library</u>	<u>1,000 feet</u>

*Except when separated by a State highway.

- c. A Cannabis Dispensary may not conduct any sales or distribution of cannabis other than as authorized by the Act.
- d. Exterior Display: A Cannabis Dispensary shall be maintained or operated in a manner that the public viewing of cannabis, cannabis products, cannabis paraphernalia or similar products from any sidewalk, public or private right-of-way or from outside of the cannabis dispensing organization is not allowed.
- e. Hours of Operations: Hours of operation are limited to between 6:00am and 10:00pm.
- f. Environmental: Emission of dust, fumes, vapors, or odors in a manner that impacts neighboring premises or properties or any public property or right-of-way shall be prohibited.
- g. Signage: Electronic changeable copy signs are not permitted for a Cannabis Dispensary. No cannabis leaf or bud image may be used in promotional signage for the Dispensary.
- h. State Requirements: The Cannabis Dispensary must comply with all applicable provisions of the Cannabis Regulation and Tax Act, 410 ILCS 705/1 et seq., as may be revised or amended from time to time.
- i. All hazardous waste and cannabis waste shall be disposed of in accordance with the provisions of the statutes of the State of Illinois and ordinances of the Village of Huntley.
- j. On-Premises Consumption: It shall be prohibited to consume cannabis products in a Cannabis Dispensary or anywhere on the site occupied by a dispensary.
- k. Other Adult-Use Cannabis Businesses Prohibited. Adult-use cannabis craft growers, cultivation centers, infusers, processors, and transporter organizations shall not be permitted to be co-located with a Cannabis Dispensary. Any cannabis business

establishment other than a Cannabis Dispensary operating pursuant to a special use permit and in accordance with this Code shall be prohibited in all zoning districts.

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Director Nordman concluded his PowerPoint presentation and mentioned to Chairman Kibort that this was the appropriate time to hear comments from the Public.

Chairman Kibort stated he would call up those that signed up to speak.

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Dolores Mundt of 13280 Cold Springs Drive was called up to the podium. Ms. Mundt stated her objections to the petition, and she hoped the Commission would be brave by saying “no” to this. She has two daughters in Colorado and they say it hasn’t worked well there. The Police are having a tough time with it in Colorado, and the money that was to be used for good is not being tracked well. She stated she does not want cannabis to be sold here, and she feels people should vote their conscience. That is why she is here today. Thank you.

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Chairman Kibort then called upon Jennifer Galloway of 12820 Timber Creek Drive. Ms. Galloway stated she thought the hearing was about the public use of marijuana, and that she did not feel it should be used in public. She was against the recreational use. Ms. Galloway also objected to people under the influence of marijuana while driving.

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Special Counsel Gates-Alford asked to interject, and to clarify the legal uses of cannabis. She stated it was not to be used in public places or in vehicles, and read portions of the Act. There is also no cannabis smoking allowed in any place where cigarette smoking is not allowed now.

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Chairman Kibort thanked Special Counsel, and called upon the next resident, Ms. Liz Stuyvesant of 13362 Arboretum Lane. Ms. Stuyvesant stated she does not think cannabis is harmless, just like she doesn’t think alcohol is harmless. Her brother used cannabis, and then used alcohol and he died. Ms. Stuyvesant is not happy with the state of Illinois passing the law. She also commented on a trip to Colorado where she had the occasion to speak with a police officer about the legalization of marijuana. She stated the officer replied there is a large increase in the drug cartel, and the cartel are now growing the drug in Colorado. Ms. Stuyvesant also said she went to a dispensary in Colorado, and said the drug is much stronger than when she was young. She concluded by stating she was ok with medical dispensaries, but is against allowing dispensaries for recreational uses.

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Chairman Kibort called upon Alice Costable of 12887 Norfolk Drive. Ms. Costable has lived in Huntley 5 years and believes the 3% sales tax is not enough of a benefit. She believes the health of the young people is much more important. Ms. Costable stated the community could gain tax dollars another way, and mentioned getting more businesses. She also mentioned her grandson who is now vaping, and how he can get it anywhere, and used this analogy with what will happen with cannabis. She thanked the commissioners.

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Chairman Kibort announced the next resident, Ms. Geri Levine, 12856 Timber Creek Drive. Ms. Levine stated she is a registered nurse, and she takes a different view on cannabis. She mentioned the September 2017 cover story of AARP magazine and recited many of the benefits of cannabis mentioned in the article. She is in favor of one dispensary being allowed in Huntley. Ms. Levine discussed the parameters for qualifying for medical use cannabis in Illinois, and that it is very difficult to qualify. The recreational marijuana could be helping many people with medical issues who do not qualify. She then went on to discuss young adults and them getting ahold of marijuana. Just like alcohol, it is illegal for those underage. Will young people find a way to get it? Yes, that is likely, but Ms. Levine stated they could get it now, on the streets. She discussed the likelihood of other drugs or chemicals being added to street drugs, and how much worse it could be. Ms. Levine discussed other nearby communities which are allowing it, and the lost revenue for Huntley. Also, the 63,000 additional jobs for the State of Illinois. Ms. Levine concluded by stating education is key, and she mentioned the difference between

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edibles and smoking, and length of time it takes to feel an effect. Educating the public is most important. She thanked the commissioners.

5 Chairman Kibort stated this ended the list of residents who signed up to speak at the Public Hearing, and this would begin the portion of the hearing where commissioners can ask questions of staff and counsel, and to begin discussing their thoughts on the petition.

10 Chairman Kibort asked for a comparison of sales tax for the Village. Director Nordman stated the current sales tax benefit (for Village) is 1% for retail, and cannabis could be taxed up to 3%.

15 Vice Chair Ellison asked Chief Porter to speak on the police departments view on cannabis and what they have learned from Colorado. Chief Porter stated driving is the biggest issue. Another issue is the cartels. In Colorado, the cartel was buying homes and filling them with marijuana. Crime around the dispensaries is a big concern due to them being a cash business. Vice Chair Ellison also asked about how to determine DUI for cannabis. Chief Porter said many states are looking at different technologies, and this is still being studied.

20 Commissioner Hahn inquired about transporting the drug to the dispensaries and what sort of licensing is done for this. Special Counsel responded by stating that all drivers involved in transporting cannabis must be trained and licensed, and the vehicles are tracked and chain of custody is documented every step of the way.

Commissioner Hahn also asked about growing at a personal home, and Chief Porter answered that is only allowed for medical users.

25 Vice Chair Ellison asked about guns being required by transporters and Special Counsel responded no, it is not a requirement.

30 Chairman Kibort asked about prohibiting use and drug testing requirements in private businesses. Special Counsel Gates-Alford stated businesses are not allowed to discriminate or regulate an employee's use of cannabis during off hours. They can regulate use during working hours and on-call hours. Federal employees do have additional restrictions though.

35 Commissioner Darci Chandler stated she was in favor of permitting one dispensary in the C-2 zoning district, and for providing buffers to sensitive businesses as stated in the draft ordinance. She also agrees cannabis should not be used on premises in dispensaries.

40 Commissioner Hahn stated he was originally opposed to the use of cannabis, except for medical reasons. However, since Illinois has approved it he would consider zoning regulations for recreational dispensaries. He stated he thought the text amendment was written very well and would vote to adopt them as they are currently written. He then inquired if a location of a dispensary is chosen and ultimately approved, whether that would restrict a school or daycare from locating within the buffer area. Special Counsel stated it would not impact a future location of a school or daycare, and said this amendment is written to determine the allowed location of cannabis dispensaries only. If a school or daycare comes after the dispensary, they could locate anywhere they have approved zoning.

45 Vice Chair Ellison commented on medical marijuana laws and how many persons who have serious illnesses are not covered by the law, and therefore cannot use a medical dispensary to buy cannabis. She mentioned the case of a friend with a child who suffered from daily seizures and had to move to another state to get the cannabis for their child. Her friend's child is doing so much better now with the drug. Vice Chair Ellison stated she believes many more people could benefit from using the drug, and she is in favor of allowing recreational dispensaries as a
50 Special Use, and for the limit of one dispensary in Huntley.

Chairman Kibort stated he is hearing a lot of comments of the failures of the medical marijuana law, and he wished the government would have done better with that regulation.

5 Vice Chair Ellison asked for comments of Chief Porter on his feelings of the new cannabis laws, and on how it will impact our community. Chief Porter responded he believes driving under the influence will be the biggest issue. It's a new law, and many people will be trying it, and they may not know their limits, or understand the effects. Vice Chair Ellison inquired about overdoses in Colorado. Chief Porter responded, Colorado had a dramatic increase in overdoses at first, and it did curtail a bit after it was legal for some time. The overdoses were especially due to the fact that edibles take longer to take effect, and people unknowingly took too many.
10 Commissioner Hahn commented to Chief Porter that he assumes the increase in overdoses would occur whether or not Huntley approves the dispensary zoning. Chief Porter agreed it would, as it would be legal to use cannabis throughout all of Illinois.

15 Chairman Kibort gave his comments on the proposed zoning regulations and cannabis. He stated that if Huntley is going to have a recreational dispensary, he was in favor of approving the draft regulations as they are written in the staff report.

20 Commissioner Lori Nichols stated she is in favor of the draft regulations and sees a benefit to having a dispensary here in Huntley. She goes to the American Legion and knows many people who would benefit from using it. Commissioner Nichols also stated she went through all the red tape to try and get her mother approved and was ultimately denied. She agrees with all the restrictions outlined in the reports, and sees the tax benefit of having it in our community instead of giving our tax dollars to another community.

25 Commissioner Terra DeBaltz stated she agrees with Commissioner Hahn and the other commissioners and is fine with the text amendment as it is proposed.

30 Commissioner Robert Chandler stated he agreed with Commissioner Hahn as well, "It's here". There is not a big enough benefit to restrict a dispensary in Huntley, when the buyers can go directly next door and purchase it. Then you'll begin to see dispensaries right on our borders, and the other towns will get our tax dollars. Commissioner Robert Chandler does have concerns with driving under the influence, but that will occur with or without a dispensary. He stated he is in favor of the text amendment as it is written, allowing one dispensary in the C-2 zoning (outside of buffer zones) with a Special Use permit, and he is opposed to the use of cannabis inside of dispensaries.

35 Discussion regarding the difficulty of being approved for medical cannabis. Chairman Kibort said he thought legislators could have done a better job with the medical marijuana laws, as he agrees there is a medical benefit and some people in need are not qualifying. He then asked for a motion to close the public hearing.

40 **A MOTION was made to close the public hearing to consider Petition No. 19-11.1.**

MOVED: Commissioner Darci Chandler
SECONDED: Commissioner Nichols
AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice Chair Ellison, and Chairman Kibort.
45 **NAYS: None**
ABSTAIN: None
MOTION CARRIED 7:0:0

50 **A MOTION was made to approve Petition No. 19-11.1, Village of Huntley, petitioner, for consideration of potential text amendments, as drafted, to the Village of Huntley Zoning Ordinance regarding adult-use cannabis business establishments operating in accordance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 et seq.**

MOVED: Vice Chair Ellison
SECONDED: Commissioner Darci Chandler
AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice
5 Chair Ellison, and Chairman Kibort.
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

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7. Discussion

Director Nordman advised the Commissioners the next regularly scheduled Plan Commission meeting is Monday,
November 25th.

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No further comments were added.

8. Adjournment

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At 7:45 pm, a MOTION was made to adjourn the November 12, 2019 Plan Commission meeting.

MOVED: Vice Chair Ellison
SECONDED: Commissioner Darci Chandler
AYES: Commissioners Hahn, Nichols, DeBaltz, Robert Chandler, Darci Chandler, Vice
25 Chair Ellison, and Chairman Kibort.
NAYS: None
ABSTAIN: None
MOTION CARRIED 7:0:0

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Respectfully submitted,

Margo Griffin

Development Manager
Village of Huntley