



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council Members

FROM: Lorrie Pearson, AICP, Community Development Services Director
Marcus Ricci, AICP, Planner II

DATE: June 11, 2020

SUBJECT: A Resolution of Protest Against a Proposed Text Amendment to the Champaign County Zoning Ordinance (CCZBA-973-AT-20 / Adult-Use Cannabis Regulations)

Introduction

The Champaign County Zoning Administrator (“Zoning Administrator”) is requesting amendments to three sections of the Champaign County Zoning Ordinance (“Ordinance”) to allow specific adult-use cannabis uses (“cannabis uses”) in certain areas of Champaign County. Case 973-AT-20 (“Case”) is a proposed text amendment to address the permitting, regulation, and site location of various cannabis uses throughout the County. Case 973-AT-20 would restrict all cannabis uses to within 1.5 miles of a home-rule municipality with more than 20,000 people. It also would allow three cannabis uses throughout the County outside the above-stated 1.5-mile buffer, *except* for areas within 1.5 miles of either: a) a home-rule municipality with a population of 20,000 or less; b) a non-home rule municipality; or c) a residential zoning district located more than 1.5 miles from a home-rule municipality with a population of 20,000 or more.

The proposed text amendment is of interest to the City of Urbana to the extent that it may affect zoning and land development decisions within the City’s 1.5-mile extraterritorial jurisdiction (ETJ). The City has subdivision and land development jurisdiction within the ETJ, while the County holds zoning jurisdiction in this area, and it is important that there be consistency between these two jurisdictions where regulations may overlap.

Land uses in the County affect the City of Urbana in several ways:

- They can potentially conflict with adjacent land uses in the City;
- Unincorporated portions of the County adjacent to the City will likely be annexed into the City at some point. Existing land uses would also be incorporated as part of annexation; and
- Development patterns of areas annexed into the City will affect the City’s ability to grow according to the shared vision provided in the 2005 Comprehensive Plan, and in subsequent Comprehensive Plans.

For these reasons, the City should examine the proposed text amendment to the Champaign County Zoning Ordinance to ensure compatibility with City ordinances. It is the City Council’s responsibility to review the proposed amendments to determine what impact they may have on the City, and to

decide whether to protest the proposed text amendment. Under State law, a municipal protest of the proposed amendment would require a three-quarters super-majority of votes to approve the request at the County Board; otherwise, a simple majority would be required.

On June 11, 2020, at a special meeting, the Plan Commission is scheduled to consider this case. Since that meeting will occur after Council packets are sent, staff will present a summary of the Plan Commission discussion at the Special Council meeting on June 15, 2020.

City staff have concluded that the proposed text amendment would not directly affect the use of land, nor would it affect the City's ability to manage growth and development. The amendment would permit cannabis uses near land in the City that already permits cannabis uses. It would also permit these uses by right or by Special Use Permit (SUP) in some locations near land in the City that does not permit those uses. However, in those cases, the City would be notified of any cannabis SUP applications and would review those applications and submit comments to the County Board. In addition, any cannabis uses within the ETJ that would require a new connection to the Urbana-Champaign Sanitary District's sanitary sewers would be required to enter into an Annexation Agreement with the City, which would give the City the ability to work with the developer to reduce any potential conflicts with nearby parcels.

Background

Cannabis Regulation

This staff report provides some basic background on recent cannabis regulation. For more information, please refer to the most recent County staff reports for Cases 972-AT-20 and 973-AT-20 (Exhibit A)¹ and the City staff report for Urbana's Cannabis Text Amendment (Ord. No. 2019-10-059).²

On June 25, 2019, Governor Pritzker signed the Cannabis Regulation and Tax Act (410 ILCS 705/) (the Act), making it legal for adults 21 and older to purchase, possess, and consume cannabis for non-medical purposes. In addition, the Act regulates how cannabis may be cultivated, transported, processed, and sold, and restricts the number of dispensing businesses that will be allowed in each region of the state.

On September 3, 2019, the Urbana City Council passed Ord. No. 2019-08-047, which established a three percent Municipal Cannabis Retailers' Occupation Tax that applies to all non-medical cannabis sales in Urbana. On October 21, 2019, the City Council passed Ord. No. 2019-10-059, adding non-medical cannabis uses – what the County refers to as “adult-use cannabis uses” – and regulations to the Zoning Ordinance (Exhibit B).

Champaign County is now considering an amendment to its Zoning Ordinance to establish cannabis uses in specific areas of the County. Both the City and proposed County definitions for each cannabis use are based on the six cannabis business types defined in the Act.

¹ [Link to PC meeting website for a compilation document of all Champaign County 972- and 973- case info.](#)

² [Link to PC meeting website for a compilation document of 2385-T-19 staff report and minutes.](#)

County Timeline

On October 10, 2019, the Environmental Land Use Committee (ELUC) first discussed regulating cannabis use in the County. County staff introduced draft cannabis use regulations, which later became the basis of a proposed Case 972-AT-19 zoning text amendment. Because there was not a majority of committee members in support of the proposed “by right use” language, the case was continued to the November 7, 2019, ELUC meeting. At that meeting, the “by right use” regulation was re-introduced as a Zoning Ordinance Text Amendment. Members also introduced an ordinance to prohibit cannabis uses: this was a resolution, not a text amendment. Although both pieces of proposed legislation received tie votes, the “by right use” text amendment was required to be treated as defeated and did not proceed to the Champaign County Zoning Board of Appeals (ZBA), while the prohibition ordinance – which did not require ZBA approval – proceeded to the County Board without a recommendation from ELUC. The County Board subsequently did not approve the prohibition ordinance, so Champaign County Planning and Zoning staff had to develop alternatives.

At the January 9, 2020, ELUC meeting, Planning and Zoning staff presented two options, which later became Cases 972-AT-20 and 973-AT-20: option 972-AT-20 included a 1.5-mile cannabis use zone around only larger home-rule municipalities (Urbana and Champaign), and 973-AT-20 was the same, except it added areas throughout the County, but subtracted areas around all small home-rule municipalities and residential zoning districts. Both options were unanimously forwarded to the ZBA for public hearings as two separate amendments: Cases 972-AT-20 and 973-AT-20. At the May 7, 2020, ELUC meeting, the committee started the 30-day review period for both cases, which ended June 4, 2020.

On February 27, 2020, the ZBA held public hearings for Cases 972-AT-20 and 973-AT-20. There was no public attendance, and the cases were continued to the ZBA’s March 12, 2020, meeting. At that public hearing, the ZBA voted 4-1 to recommend denial of 972-AT-20 to the County Board, and voted 4-1 to recommend approval of 973-AT-20. As at the earlier hearing, no public input was received.

At the June 4, 2020, ELUC meeting, the committee voted to recommend Case 973-AT-20 for approval and voted to not recommend Case 972-AT-20 for approval. The latter case was therefore denied, and only Case 973-AT-20 will go to the County Board on June 18, 2020.

Case 973-AT-20: the “Smaller Home-Rule and Non-Home Rule Municipality” Cannabis Amendment

This amendment would establish a 1.5-mile “by right use area” for all six non-medical cannabis uses around Urbana and Champaign (see Exhibit A for amendment language and maps for permitted areas). The rationale is to restrict cannabis uses to be near the more urban areas of the County and keep them out of the more rural areas of the County, both incorporated and unincorporated (Exhibit A, maps on pages 25-28). The amendment is divided into three parts:

Part A: Amend the Champaign County Zoning Ordinance to add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center, as detailed in the full legal description in Attachment A.

Part B: Amend the Champaign County Zoning Ordinance to add requirements for adult-use cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population, as detailed in the full legal description in Attachment A.

Part C: Add requirements to authorize the following adult-use cannabis businesses except within 1.5 miles of non-home rule municipalities and except within 1.5 miles of a home rule municipality with a population of 20,000 or less and except within 1.5 miles of a residential zoning district located more than 1.5 miles from a home rule municipality with more than 20,000 population, as detailed in the full legal description in Attachment A.

Some of the proposed uses have specific zoning districts (AG-2, B-3, B-4, and/or I-2) while Cultivation Centers and Craft Growers would be permitted in any zoning district by right or by County Board-approved Special Use Permit (SUP) if within 300 feet of an existing residence or residentially-zoned lot (Exhibit A, Table of Authorized Principal Uses 5.2). All of these uses are subject to specific conditions set by the County Board (Exhibit A, Schedule of Standard Conditions for Specific Types of Special Uses Table 6.1.3).

Part C was added to the originally-proposed text amendment (972-AT-20) to allow cannabis uses near the large urban areas of the County and in the most rural areas, and to also allow them with stricter regulation in the more rural areas, and to strictly regulate or prohibit them near or in smaller urbanized areas (Exhibit A, maps on pages 25-30).³ However, an unincorporated municipality's 1.5-mile "no-use" buffer would never override Urbana or Champaign's 1.5-mile "by right use zone" (Exhibit A, maps on pages 29-30).⁴

In summary, Case 973-AT-20 would establish a "by right use zone" within the ETJs of Urbana and Champaign, in which the uses would be subject to specific conditions set by the County Board. Some uses would require a County Board-approved Special Use Permit (SUP). In addition, Cultivation Centers, Craft Growers, and Transporters would be allowed throughout the County, *outside* of a 1.5-mile buffer surrounding smaller municipalities and residential zoning districts.

Similar to City cannabis regulations, the amendment would: prohibit Dispensaries, Cultivation Centers, or Craft Growers near other identical cannabis uses; require separation between a Dispensary and specified schools; and permit a Cultivation Center or Craft Grower in non-residential districts by right. Both jurisdictions require Cultivation Centers and Craft Growers to use ventilation scrubbers or filters; the County would also require Cultivation Centers and Craft Growers to control nighttime lighting. Both jurisdictions would permit multiple cannabis uses on the same premises under specific situations. The proposed amendment would permit consumption of cannabis in a dispensing organization if located within the ETJ of a home-rule municipality that allows consumption of cannabis at a dispensing organization.⁵ Unlike the County, the City permits Cultivation Centers in

³ Refer to the maps for Case 972-AT-20: the differences between the amendments are limited to addressing the site locations of only craft growers, cultivation centers, and transporters.

⁴ The Case 973-AT-20 map for craft growers and cultivation center shows a "no-use" buffer around Leverette and Mayview within Urbana's ETJ. This is incorrect: these uses are permitted inside Urbana's ETJ. The map should resemble the map for transporters, which shows that use permitted inside Urbana's ETJ within those urbanized areas' 1.5-mile buffer zone.

⁵ Currently, no municipalities allow on-site cannabis consumption at dispensaries. This provision would automatically allow such on-site consumption within the ETJ of a municipality if it were to establish rules allowing the same.

agricultural districts with a special use permit – not by right – recognizing the abundance of agriculturally-zoned land just outside the City’s boundary that could be suitable for cannabis cultivation under the right conditions.

Discussion

County Zoning

City staff compared the proposed text amendment and permitted use maps with the City of Urbana cannabis regulations and permitted use maps to determine potential impacts to land within the City’s boundary and ETJ, and for potential impacts to the City’s ability to plan or manage development.

Staff do not anticipate a negative impact to the City’s ability to plan or manage growth or development from the proposed text amendment.

The definitions in the County’s proposed ordinance are identical to those in the City’s ordinance, as both were based on definition language provided in the 2019 Cannabis Regulation and Tax Act.⁶ Exhibit B is the City’s cannabis ordinance, including the Table of Principal Uses. Exhibit C is a collection of maps of where non-medical cannabis uses are permitted within the City. For comparison, pages 25-30 of Exhibit A are similar maps showing where cannabis uses would be permitted under the County’s proposed text amendments. Within the City’s ETJ, the permitted areas for all cannabis uses under both amendment versions are identical. The only differences in site location or regulation is outside the City’s ETJ. Exhibit D compares the City’s ordinance to the County’s proposed amendment, listing the districts in which each use is permitted, and the general locations of those areas.

Below are analyses of the most likely areas of compatibility and conflict, based on comparisons of both jurisdictions’ maps of permitted areas, and impacts on the City’s ability to manage growth and development in its ETJ.

Craft Growers

The City permits Craft Growers by right in most commercial districts, both industrial districts, and by special use permit (SUP) in agricultural districts.

Comparison to City Zoning. The amendment would permit Craft Growers in areas adjacent to City land that requires a City SUP as either a by right use or with a County SUP⁷: near Cunningham Avenue and Olympian Drive, and along High Cross and Windsor Roads. Craft Growers would also be permitted in some areas adjacent to City land that would not permit them at all: east of Stone Creek, and around Myra Ridge subdivision. The requirement for a County SUP would mean that the City would be notified and could submit comments to the County Board regarding the proposed SUP.

Cultivation Centers

The City permits Cultivation Centers by right only in both industrial districts, and by SUP in agricultural districts.

⁶ Cannabis Regulation and Tax Act (410 ILCS 705/55-25 – Local Ordinances); <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3992&ChapterID=35>

⁷ A SUP would be required if near residential districts or uses.

Comparison to City Zoning. The amendment would permit Cultivation Centers in areas adjacent to City land that require a City SUP as either a by right use or with a County SUP⁸: along Cunningham Avenue, and along High Cross and Windsor Roads. Cultivation Centers would also be permitted adjacent to City land that would not permit them at all: east of Stone Creek, around Myra Ridge subdivision, and along High Cross and Windsor Roads. Again, the City would be notified of any County SUP and could submit comments.

Dispensaries

The City permits Dispensaries by right in most commercial districts, light industrial/office districts, and by SUP in the B-2 (neighborhood business) district. New Dispensaries are excluded from most of downtown Urbana due to proximity to the existing Nu-Med dispensary.

Impacts to City Zoning. The amendment would permit Dispensaries only in County central business districts: only along North Cunningham Avenue. This is fully compatible with the City's current permission of Dispensaries as a by right use in the same general location.

Infusers

The City permits Infusers by right in most commercial districts and both industrial districts.

Comparison to City Zoning. The amendment would permit Infusers by right only in heavy industrial districts: along the Oak Street industrial corridor, at the east end of East University Avenue (Armstrong Lumber/Hick's Gas), and east of Ward Drive (Mack's Auto Recycling). This is fully compatible with the City's current permission of Infusers by right in these general locations. Infusers would be prohibited everywhere else in the ETJ, even adjacent to City land where they are permitted by right: north of the City, by Walmart, along High Cross and Windsor Roads.

Processors

The City permits Processors by right only in industrial districts.

Comparison to City Zoning. Identical to Infusers, the amendment would permit Processors by right only in heavy industrial districts (see above). This is fully compatible with the City's current permission of Processors by right in these locations. Processors would be prohibited everywhere else in the ETJ.

Transporters

The City permits Transporters by right only in industrial districts.

Comparison to City Zoning. The amendment would permit Transporters by right in busier commercial districts and in industrial districts, in any district as a Home Occupation, and in AG2 agricultural districts with a SUP. Proposed Transporters near residential districts or uses would require a SUP: the City would be notified of any SUP application and could submit comments. These areas include along the Oak Street industrial corridor, along Cunningham Avenue, at the east end of East University Avenue, east of Ward Drive, and west of Industrial Circle. These are fully compatible with the City's permission of Transporters by right in these general locations. Transporters would also be

⁸ A SUP would be required if near residential districts or uses.

permitted near areas of the City where they are not permitted at all: east of Cunningham Avenue, near the country club, and throughout the ETJ.

Urbana 2005 Comprehensive Plan

By State law, the City has the ability to review zoning decisions within its ETJ for consistency with the City's comprehensive plan. Therefore, Champaign County's proposed Zoning Ordinance text amendment should be reviewed for consistency with the City of Urbana's 2005 Comprehensive Plan, which includes the following pertinent goals and objectives:

Goal 4.0 **Promote a balanced and compatible mix of land uses that will help create long-term, viable neighborhoods.**

Objective 4.1 Encourage a variety of land uses to meet the needs of a diverse community.

Goal 15.0 **Encourage compact, contiguous, and sustainable growth patterns.**

Objectives 15.1 Plan for new growth and development to be contiguous to existing development where possible in order to avoid "leapfrog" development.

15.5 Promote intergovernmental cooperation on development and growth issues.

Goal 16.0 **Ensure that new land uses are compatible with and enhance the existing community.**

Objectives 16.1 Encourage a mix of land use types to achieve a balanced growing community.

16.3 Encourage development in locations that can be served with existing or easily extended infrastructure and city services.

Goal 17.0 **Minimize incompatible land uses.**

Objectives 17.1 Establish logical locations for land use types and mixes, minimizing potentially incompatible interfaces, such as industrial uses near residential areas.

17.2 Where land use incompatibilities exist, promote development and design controls to minimize concerns.

Goal 21.0 **Identify and address issues created by overlapping jurisdictions in the one-and-one-half mile Extraterritorial Jurisdictional area (ETJ).**

Objectives 21.1 Coordinate with Champaign County on issues of zoning and subdivision in the ETJ.

21.2 Work with other units of government to resolve issues of urban development in unincorporated areas.

Goal 25.0 **Create additional commercial areas to strengthen the city's tax base and service base.**

Objectives 25.1 Provide a sufficient amount of land designated for various types of community and regional commercial uses to serve the needs of the community.

25.2 Promote new commercial areas that are convenient to existing and future neighborhoods.

25.4 Find new locations for commercial uses and enhance existing locations so Urbana residents can fulfill their commercial and service needs locally.

Goal 28.0 **Develop a diversified and broad, stable tax base.**

Objectives 28.1 Encourage an appropriate balance of residential, commercial, and industrial growth.

28.3 Promote an expanded tax base through aggressive marketing and development efforts aimed at attracting new business, retaining and expanding existing business, and annexation.

28.6 Increase the allocation of land devoted to tax-generating commercial uses in appropriate locations.

Goal 29.0 Develop a focused approach to economic development.

Objectives 29.3 Expand agricultural-related business, particularly along the U.S. Route 150 and IL Route 130 corridors.

29.4 Improve opportunities in north Urbana for resource-based and distribution-related industries requiring rail and interstate access.

Goal 34.0 Encourage development in areas where adequate infrastructure already exists.

Objective 34.2 Promote development in an orderly and coordinated fashion to ensure timely, cost-effective extension of utilities.

Goal 35.0 Expand utility infrastructure in areas considered most suitable for growth.

Objective 35.1 Locate new development in areas with ready access to urban services including sewer, utilities, transit and municipal services.

The proposed County zoning ordinance text amendment is generally consistent with these City goals and objectives. The amendment would allow the most resource-intensive cannabis uses adjacent to municipalities with available infrastructure (public water and sewer, roadways, rail, energy) while also permitting cannabis growers and transporters throughout the County. The amendment seeks to protect smaller home-rule and non-home-rule jurisdictions from potential negative effects of cannabis uses by restricting those uses to within the ETJ of Urbana and Champaign, or to the unincorporated area of the County outside a 1.5-mile buffer around those smaller communities.

Implications for Development Within the City’s ETJ

Within the City’s municipal boundaries, the amendment does not directly affect the use of land, nor does it affect the City’s ability to manage growth and development. It would permit cannabis uses near land in the City that already permits cannabis uses. It would also permit these uses by right or by SUP in some locations near land in the City that does not permit those uses. This potentially negative impact is mitigated by two strong checks or balances:

- The City would be notified of any cannabis SUP applications and could review those applications and submit comments to the County Board prior to their decision; and
- More importantly, the owner of any new cannabis use that requires a tap into the Urbana-Champaign Sanitary District’s sanitary infrastructure – including Cultivation Centers and Craft Growers – would be required to enter into an Annexation Agreement with the City if within the ETJ. This would serve to direct developers to work with the City to find land in an area with compatible uses to reduce any potential conflicts.

The amendment would permit cannabis uses within Urbana’s ETJ, and would permit Cultivation Centers, Craft Growers, and Transporters throughout the County, outside smaller communities, diffusing the cannabis industry throughout the County.

In summary, the proposed amendment is generally compatible with the City’s adopted cannabis zoning amendment, and promotes uses that are currently not permitted outside the City’s corporate limits. The amendment would not affect how the City regulates cannabis uses within the City.

Staff does not anticipate any negative impact to the City’s ability to plan or manage growth or development as a result of the amendment.

Summary of Findings

1. The Champaign County Zoning Administrator proposes a text amendment to the Champaign County Zoning Ordinance addressing the permitting, regulation, and site location of various cannabis uses throughout the County. Case 973-AT-20 proposes to amend § 3. Definitions to add definitions of permitted adult-use cannabis uses, § 5.2 Table of Authorized Principal Uses, and § 6.1.3 Table of Schedule of Standard Conditions for Specific Types of Special Uses. This includes required separation distances between some proposed cannabis uses with existing cannabis uses, or with specified schools.
2. Case 973-AT-20 would allow cannabis uses in specified zoning districts within the larger home-rule municipalities’ ETJs, and would restrict some uses to within those same ETJs, but allow other uses throughout the unincorporated area of the County, outside a 1.5-mile zone around established communities.
3. The proposed text amendment is generally compatible with the land use policy goals and objectives of the 2005 Urbana Comprehensive Plan, which promote contiguous growth, economic stability, cooperation between governments, and compatibility of land uses.
4. The proposed text amendment would not pose negative impacts to land uses or to the ability of the City to manage growth and development of land currently within the City’s ETJ.
5. On June 11, 2020, at a special meeting, the Urbana Plan Commission will consider the case. Staff will update the Council on the results of that meeting at the June 15, 2020, Special City Council meeting.

Options

City Council has the following options in **CCZBA Case No. 973-AT-20**, a request to amend the Champaign County Zoning Ordinance to add definitions and requirements for specified adult-use cannabis businesses only within 1.5 miles of a home-rule municipality with more than 20,000 population, except within 1.5 miles of smaller municipalities and residential districts:

- a. **Defeat** a resolution of protest; or
- b. **Defeat** a resolution of protest, contingent upon specific provisions to be identified; or
- c. **Approve** a resolution of protest.

Recommendation

Based upon the findings above, **staff recommends** that the City Council **defeat a resolution of protest for CCZBA 973-AT-20.**

The **Plan Commission recommendation** from the June 11, 2020, meeting will be presented on June 15, 2020, to the City Council.

Attachments:

Exhibit A: Champaign County Planning & Zoning Memo to ELUC (dated 4/28/2020)

Exhibit B: Urbana Cannabis Regulation – Ord. No. 2019-10-059 (dated 10/22/2019)

Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps

Exhibit D: Comparison of Urbana and Proposed County Regulations

cc: John Hall, Director, Champaign County Planning and Zoning
Susan Burgstrom, Planner, Champaign County Planning and Zoning

RESOLUTION NO. 2020-06-026R

**A RESOLUTION OF PROTEST AGAINST A PROPOSED TEXT AMENDMENT TO
THE CHAMPAIGN COUNTY ZONING ORDINANCE**

(CCZBA-973-AT-20 / Adult-Use Cannabis Regulations)

WHEREAS, the Champaign County Zoning Administrator is requesting a text amendment to three sections of the Champaign County Zoning Ordinance in Champaign County Case No. 973-AT-20 to allow specific adult-use cannabis uses in certain areas of Champaign County; and

WHEREAS, the proposed text amendment has been submitted to the City of Urbana for review and is being considered by the City of Urbana under the name of “CCZBA-973-AT-20”; and

WHEREAS, pursuant to the provisions of State of Illinois Compiled Statutes 55 ILCS 5/5-12014 that states in cases of any proposed zoning amendment where the land affected lies within one-and-a-half (1-1/2) miles of the limits of a zoned municipality, the corporate authorities of the zoned municipality may by resolution issue written protest against the proposed text amendment; and

WHEREAS, the proposed text amendment [is/is not] compatible with the Goals and Objectives and Future Land Use Map of the 2005 City of Urbana Comprehensive Plan; and

WHEREAS, the Urbana Plan Commission met on June 11, 2020, to consider the proposed text amendment and voted with ____ ayes and ____ nays to forward to the City Council a recommendation to [defeat/approve] a resolution of protest; and

WHEREAS, the Urbana City Council, having duly considered all matters pertaining thereto, finds and determines that the proposed text amendment is not in the best interest of the City of Urbana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. The City Council finds and determines that the facts contained in the above recitations are true.

Section 2. That the Urbana City Council hereby resolves that the City of Urbana, pursuant to the provisions of 55 ILCS 5/5-12014, does hereby APPROVE a Resolution of Protest against the proposed text amendment as presented in CCZBA-973-AT-20.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2020.

AYES:

NAYS:

ABSTENTIONS:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, 2020.

Diane Wolfe Marlin, Mayor

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

Champaign County
Department of

**PLANNING &
ZONING**

TO: **Environment and Land Use Committee**
FROM: **John Hall, Zoning Administrator**
DATE: **April 28, 2020**
RE: **Case 972-AT-20**

Brookens Administrative Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

Part A: Amend the Champaign County Zoning Ordinance to add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center, as detailed in the full legal description in Attachment A.

Part B: Amend the Champaign County Zoning Ordinance to add requirements for adult cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population, as detailed in the full legal description in Attachment A.

Case 973-AT-20

Part A: Amend the Champaign County Zoning Ordinance to add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center, as detailed in the full legal description in Attachment A.

Part B: Amend the Champaign County Zoning Ordinance to add requirements for adult cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population, as detailed in the full legal description in Attachment A.

Part C: Add requirements to authorize the following adult cannabis businesses except within 1.5 miles of non-home rule municipalities and except within 1.5 miles of a home rule municipality with a population of 20,000 or less and except within 1.5 miles of a residential zoning district located more than 1.5 miles from a home rule municipality with more than 20,000 population, as detailed in the full legal description in Attachment A.

STATUS

At the March 12, 2020 public hearing, the Zoning Board of Appeals voted 4-1 to forward Case 972-AT-20 with a RECOMMENDATION FOR DENIAL, and voted 4-1 to forward Case 973-AT-20 with a RECOMMENDATION FOR APPROVAL. No public input was received for these cases.

Since that meeting, it was noted that staff erred in excluding Transporting Organizations in the I-1 and I-2 zoning districts. Staff recommends adding Transporting Organizations in these districts for both cases 972-AT-20 and 973-AT-20, and has added this to Attachments B, C, D, and E.

The Summary Finding of Fact for these cases can be found in Attachments B and C. Attachment D is a side by side comparison of Cases 972-AT-20 and 973-AT-20. Attachment E is a series of maps illustrating the differences in cannabis related land uses as proposed in Cases 972-AT-20 and 973-AT-20. The latest revisions were to include transporting Organizations as by-right in I-1 and I-2 districts for both cases, and to identify existing annexation agreements outside Champaign and Urbana.

ELUC AND COUNTY BOARD INPUT TO DATE

Cannabis regulation was first discussed by ELUC at its October 10, 2019 meeting, with the introduction of a proposed amendment that would allow each of the various types of cannabis related land uses authorized by the CRTA to be permitted by-right within specific zoning districts in Champaign County. One member expressed concern about access to cannabis by minors in smaller towns. There were only six members present at the meeting, and there was no majority of ELUC that supported sending the proposed amendment to a public hearing. The Zoning Ordinance amendment was continued for consideration to the November 7, 2019, ELUC meeting.

At the November 7, 2019 meeting, John Hall introduced the same proposed amendment that was introduced in October, and another proposed amendment that was a model ordinance prohibiting adult cannabis uses in unincorporated Champaign County. One resident from Penfield commented that Penfield is a quiet town and they would like it kept that way, in reference to allowing cannabis related business there. There were only six members present and the vote on both ordinances was a tie. However, the tie vote on the proposed “by right” Zoning Ordinance text amendment meant that the proposed amendment did not proceed to the ZBA, but because the prohibition ordinance was for County Board consideration, the tie vote allowed that ordinance to proceed to the full Board without a recommendation. The following is a summary of comments from ELUC members from the November 7, 2019 meeting:

Generally in favor of allowing adult use cannabis related businesses:

- One member said that cannabis related businesses will become a state allowable endeavor that has a tax benefit for the county. We voted to tax these businesses in all unincorporated Champaign County, so it would be odd to vote to collect tax from a business and then say they can't have a business.
- Regarding cultivation centers, the same member asked, would we contradict our own right to agriculture if we don't allow a grower to grow, and do we put ourselves in a position to be litigated against. The answer was that the state has given counties the right to opt-out.
- Another member stated that the discussion is more about whether someone has the right to own a certain type of business. It's a highly regulated law. They don't see the point in something being legal and we say that Champaign County isn't open for business.

Generally opposed to allowing adult use cannabis related businesses:

- One member did not want to see recreational cannabis businesses come into small towns, with the primary concern being the physical proximity to people under age 21. They suggested seeing how recreational marijuana sales play out in in Champaign-Urbana before deciding on the unincorporated areas.
- Another member stated that hemp growing is going to be done in regular fields. Since our soils are so good, people are afraid it will go over the 0.3 THC limit. Not sure that industrial hemp could be grown in this area. We're so early in this, we don't know what it's going to be, and he is worried about the unintended consequences rather than the fact that we are trying to regulate business. This member was against the proposed amendment based on that.
- Another member said that young people are most impacted by marijuana and cannabis use. They said that our biggest issue is what happens in unincorporated areas where there isn't a structure in place to regulate. It's easier to control if we don't allow it in the first place.

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

Cases 972-AT-20 & 973-AT-20

3

Zoning Administrator
APRIL 28, 2020

At the November 21, 2019 County Board meeting, there was much debate regarding the cannabis prohibition ordinance, which the Board ultimately chose not to approve. A compromise was eventually proposed that would prohibit cannabis related uses within 1.5 miles of municipalities that did not also allow cannabis related uses, and also prohibit cannabis related uses from being near unincorporated settlements such as Penfield and Seymour. The compromise was also proposed to require similar requirements as required by those municipalities that already allowed cannabis uses, reasoning that such municipalities had already gained experience with such uses. The Board referred the topic back to ELUC for further consideration.

At the January 9, 2020, ELUC meeting, John Hall returned with the same pair of proposals. ELUC members unanimously approved sending both proposed amendments to the ZBA. The following is a summary of comments from ELUC members from the January 9, 2020 meeting:

Generally in favor of Option A: within 1.5 miles of Champaign-Urbana only (Case 972-AT-20)

- One member said that it bothers them that the craft grower use is undefined, where we know what a cultivation center is. They are concerned that we are going to over-produce and have an oversupply. They felt that Option A would be a good place to start and then maybe, if needed, we can come back and re-visit it and make changes in the future.
- Another member supports Option A more than Option B, but could live with Option B. They said that if there was a grow center out in County, appropriately zoned, it would be OK. As far as the special use permit, they support keeping that at the County Board level.
- Another member would be able to, very hesitantly, vote for Option A. They said that with Option B, it concerns them that it could come into the unincorporated areas when the communities don't want that type of business. They have been contacted by people saying they don't want it. They would like to slow down and slowly go into this, but could support sending both options to the ZBA.

Generally in favor of Option B: alternative transporter, cultivation center, and craft grower (Case 973-AT-20)

- One member said Option B would be more of a compromise that was suggested at the County Board meeting, and favored keeping the Special Use Permit in Option B at the County Board level.
- Another member said that they support Option B more than Option A at this point, but it just makes sense to send them both to ZBA now.
- Another member said that they don't think the County should limit anyone's ability to grow cannabis if it's done within the county zoning, and doesn't think we should limit access to economic development around this.

NEXT STEPS

Standard protocol is for the Committee to make a preliminary recommendation on a proposed text amendment at the first Committee meeting following a ZBA recommendation, and then make a final recommendation to the County Board at the next regularly scheduled Committee meeting (June 4, 2020, in this instance). The one-month delay in a final recommendation is intended to give municipalities and townships with plan commissions one month in which to provide comments or protests.

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

4

Cases 972-AT-20 & 973-AT-20

Zoning Administrator

APRIL 28, 2020

ATTACHMENTS

- A Legal advertisement
- B Approved Summary Finding of Fact for Case 972-AT-20 with proposed amendment attached, dated March 12, 2020 and revised April 28, 2020
- C Approved Summary Finding of Fact for Case 973-AT-20 with proposed amendment attached, dated March 12, 2020 and revised April 28, 2020
- D Side by side comparison of Cases 972-AT-20 and 973-AT-20, revised April 28, 2020
- E Maps: Cannabis Related Land Uses for Cases 972-AT-20 and 973-AT-20, revised April 28, 2020

LEGAL PUBLICATION: WEDNESDAY, FEBRUARY 12, 2020
CASES: 972-AT-20 & 973-AT-20

NOTICE OF PUBLIC HEARING IN REGARD TO AN AMENDMENT TO THE TEXT OF THE CHAMPAIGN COUNTY ZONING ORDINANCE

CASES 972-AT-20 & 973-AT-20

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed petitions to amend the text of the Champaign County Zoning Ordinance. The petitions are on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, February 27, 2020 at 6:30 p.m.** prevailing time in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider petitions for the following:

Case 972-AT-20

Amend the Champaign County Zoning Ordinance as follows:

- A. Add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center.
- B. Add requirements to authorize adult cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population as follows:
 1. Authorize adult-use cannabis Dispensing Organization by right in the B-4 Zoning District subject to specified conditions.
 2. Authorize adult-use cannabis Infuser Organization by right in the I-2 Zoning District subject to specified conditions.
 3. Authorize adult-use cannabis Processing Organization by right in the I-2 Zoning District subject to specified conditions.
 4. Authorize adult-use cannabis Transporting Organization by right in the B-3 and B-4 Zoning Districts subject to specified conditions or as a Special Use Permit in the AG-2 Zoning District subject to conditions or as a home occupation in any zoning district subject to specified conditions.
 5. Authorize adult-use cannabis Cultivation Center by right in any Zoning District subject to specified conditions or by County Board approved Special Use Permit in any Zoning District subject to conditions if located 300 feet or less from an existing residence or residentially zoned lot.
 6. Authorize adult-use cannabis Craft Grower by right in any Zoning District subject to specified conditions or by County Board approved Special Use Permit in any Zoning District subject to conditions if located 300 feet or less from an existing residence or residentially zoned lot.

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

Case 973-AT-20

Amend the Champaign County Zoning Ordinance as follows:

- A. Add definitions for the following types of adult-use cannabis businesses: Dispensing Organization; Infuser Organization; Processing Organization; Transporting Organization; Craft Grower; and Cultivation Center.

- B. Add requirements to authorize the following adult cannabis businesses only within 1.5 miles of a home rule municipality with more than 20,000 population as follows:
 1. Authorize adult-use cannabis Dispensing Organization by right in the B-4 Zoning District subject to specified conditions.

 2. Authorize adult-use cannabis Infuser Organization by right in the I-2 Zoning District subject to specified conditions.

 3. Authorize adult-use cannabis Processing Organization by right in the I-2 Zoning District subject to specified conditions.

- C. Add requirements to authorize the following adult cannabis businesses except within 1.5 miles of non-home rule municipalities and except within 1.5 miles of a home rule municipality with a population of 20,000 or less and except within 1.5 miles of a residential zoning district located more than 1.5 miles from a home rule municipality with more than 20,000 population, as follows:
 1. Authorize adult-use cannabis Transporting Organization by right in the B-3 and B-4 Zoning Districts or as a County Board approved Special Use Permit in the AG-2 Zoning District subject to conditions or as a home occupation in any zoning district subject to specified conditions.

 2. Authorize adult-use cannabis Cultivation Center by right in any Zoning District subject to specified conditions or by County Board approved Special Use Permit in any Zoning District subject to conditions if located 300 feet or less from an existing residence or residentially zoned lot.

 3. Authorize adult-use cannabis Craft Grower by right in any Zoning District subject to specified conditions or by County Board approved Special Use Permit in any Zoning District subject to conditions if located 300 feet or less from an existing residence or residentially zoned lot.

All persons interested are invited to attend said hearing and be heard. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, FEBRUARY 12, 2020, ONLY

Send bill and one copy to: Champaign County Planning and Zoning Dept.
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802

Phone: 384-3708

SUMMARY FINDING OF FACT FOR CASE 972-AT-20

From the documents of record and the testimony and exhibits received at the public hearing conducted on **February 27, 2020** and **March 12, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment ***IS NECESSARY TO ACHIEVE*** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will ***HELP ACHIEVE*** LRMP Goals 3, 4, 5, and 6.
 - B. The proposed Zoning Ordinance text amendment ***WILL NOT IMPEDE*** the achievement of LRMP Goals 1, 2, 4, 7, 8, and 9.
 - C. The proposed Zoning Ordinance text amendment is ***NOT RELEVANT*** to LRMP Goal 10.
2. The proposed text amendment ***WILL*** improve the Zoning Ordinance because it will:
 - A. ***HELP ACHIEVE*** the purpose of the Zoning Ordinance (see Item 16).
 - B. ***IMPROVE*** the text of the Zoning Ordinance (see Item 17).

PROPOSED AMENDMENT FOR CASE 972-AT-20

Red text and red boxes in gray highlight are proposed changes due to staff error dated 4/28/2020

1. Add the following definitions to Section 3 Definitions:

ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE 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 necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.







ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

2. Revise Section 5.2 as follows (new text underlined):

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS															
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
<u>ADULT USE CANNABIS DISPENSING ORGANIZATION</u> ²³																
<u>ADULT USE CANNABIS TRANSPORTING ORGANIZATION</u> ²⁴			<u>S</u>													
<u>ADULT USE CANNABIS INFUSER ORGANIZATION</u> ²⁵																
<u>ADULT USE CANNABIS PROCESSING ORGANIZATION</u> ²⁶																
<u>ADULT USE CANNABIS CULTIVATION CENTER</u> ²⁷	<u>B</u>	<u>B</u>	<u>B</u>						<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	
<u>ADULT USE CANNABIS CRAFT GROWER</u> ²⁸	<u>B</u>	<u>B</u>	<u>B</u>						<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	

	= Permitted by right		= Permitted on individual LOTS as a SPECIAL USE		= COUNTY BOARD Special Use Permit
	= Proposed to be permitted by right		= Proposed to be permitted on individual LOTS as a SPECIAL USE		= Proposed to be permitted as a County Board SPECIAL USE Permit

Footnotes

23. ADULT-USE CANNABIS DISPENSING ORGANIZATION to be allowed By-Right in the B-4 Zoning District within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:

- (1) Shall not be located within 1,500 feet of any existing ADULT-USE CANNABIS DISPENSING ORGANIZATION or any existing medical cannabis dispensing organization.
- (2) If located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that has minimum separation requirements between a dispensing organization to a public or private elementary or secondary school, the use shall comply with those same municipal separation requirements.
- (3) May share a PREMISES with a CRAFT GROWER in the B-4 District without a SPECIAL USE Permit.
- (4) Consumption of CANNABIS is allowed at the ADULT-USE CANNABIS DISPENSING ORGANIZATION if located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that also allows consumption of CANNABIS at an ADULT-USE CANNABIS DISPENSING ORGANIZATION.
- (5) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

24. ADULT-USE CANNABIS TRANSPORTING ORGANIZATION to be allowed By-Right in the B-3, B-4, **I-1 and I-2** Zoning Districts within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a Special Use Permit in the AG-2 Zoning District within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a HOME OCCUPATION in any zoning district within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population subject to the relevant requirements of Section 7.1.1 or 7.1.2, subject to the following requirements:

- (1) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

25. ADULT-USE CANNABIS INFUSER ORGANIZATION to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
 - (1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.
 - (2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

26. ADULT-USE CANNABIS PROCESSING ORGANIZATION to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
 - (1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.
 - (2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

27. ADULT-USE CANNABIS CULTIVATION CENTER to be allowed By-Right or by County Board approved Special Use Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
 - (1) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (2) A CULTIVATION CENTER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CULTIVATION CENTER.
 - (3) A CULTIVATION CENTER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CULTIVATION CENTER.
 - (4) The CULTIVATION CENTER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.
 - (5) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

28. ADULT-USE CANNABIS CRAFT GROWER to be allowed By-Right or by County Board approved Special Use Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
 - (1) Shall not be located within 1,500 feet of any CULTIVATION CENTER or other CRAFT GROWER.
 - (2) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (3) A CRAFT GROWER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CRAFT GROWER.

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

- (4) A CRAFT GROWER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CRAFT GROWER.
- (5) May share a PREMISES with a CANNABIS DISPENSING ORGANIZATION in the B-4 District without a SPECIAL USE Permit.
- (6) The CRAFT GROWER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.
- (7) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

3. Add to Section 6.1.3 as follows (new text underlined):

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR		
						STREET Classification						
						MAJOR	COLLECTOR	MINOR				
<u>SE CANNABIS TRANSPORTING ORGANIZATION</u>	<u>NR</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>*See below</u>
<u>SE CANNABIS CULTIVATION CENTER</u>	<u>NR</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>*See below</u>
<u>SE CANNABIS CRAFT GROWER</u>	<u>NR</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>*See below</u>

Footnotes

(1) Standard same as applicable zoning DISTRICT

SUMMARY FINDING OF FACT FOR CASE 973-AT-20

From the documents of record and the testimony and exhibits received at the public hearing conducted on **February 27, 2020** and **March 12, 2020**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment ***IS NECESSARY TO ACHIEVE*** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will ***HELP ACHIEVE*** LRMP Goals 3, 4, 5, and 6.
 - B. The proposed Zoning Ordinance text amendment ***WILL NOT IMPEDE*** the achievement of LRMP Goals 1, 2, 4, 7, 8, and 9.
 - C. The proposed Zoning Ordinance text amendment is ***NOT RELEVANT*** to LRMP Goal 10.
2. The proposed text amendment ***WILL*** improve the Zoning Ordinance because it will:
 - A. ***HELP ACHIEVE*** the purpose of the Zoning Ordinance (see Item 16).
 - B. ***IMPROVE*** the text of the Zoning Ordinance (see Item 17).

PROPOSED AMENDMENT FOR CASE 973-AT-20

Red text and red boxes in gray highlight are proposed changes due to staff error dated 4/28/2020

1. Add the following definitions to Section 3 Definitions:

ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE 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 necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

Exhibit A: Champaign County Planning & Zoning Memo to ELUC

2. Revise Section 5.2 as follows (new text underlined):

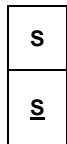
SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

Principal USES	Zoning DISTRICTS															
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
<u>ADULT USE CANNABIS DISPENSING ORGANIZATION</u> ²³																
<u>ADULT USE CANNABIS TRANSPORTING ORGANIZATION</u> ²⁴			<u>S</u>													
<u>ADULT USE CANNABIS INFUSER ORGANIZATION</u> ²⁵																
<u>ADULT USE CANNABIS PROCESSING ORGANIZATION</u> ²⁶																
<u>ADULT USE CANNABIS CULTIVATION CENTER</u> ²⁷	<u>B</u>	<u>B</u>	<u>B</u>						<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	
<u>ADULT USE CANNABIS CRAFT GROWER</u> ²⁸	<u>B</u>	<u>B</u>	<u>B</u>						<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	<u>B</u>	



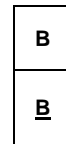
= Permitted by right

= Proposed to be permitted by right



= Permitted on individual LOTS as a SPECIAL USE

= Proposed to be permitted on individual LOTS as a SPECIAL USE



= COUNTY BOARD Special Use Permit

= Proposed to be permitted as a County Board SPECIAL USE Permit

Footnotes

23. ADULT-USE CANNABIS DISPENSING ORGANIZATION to be allowed By-Right in the B-4 Zoning District within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:

- (1) Shall not be located within 1,500 feet of any existing ADULT-USE CANNABIS DISPENSING ORGANIZATION or any existing medical cannabis dispensing organization.
- (2) If located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that has minimum separation requirements between a dispensing organization to a public or private elementary or secondary school, the use shall comply with those same municipal separation requirements.
- (3) May share a PREMISES with a CRAFT GROWER in the B-4 District without a SPECIAL USE Permit.
- (4) Consumption of CANNABIS is allowed at the ADULT-USE CANNABIS DISPENSING ORGANIZATION if located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that also allows consumption of CANNABIS at an ADULT-USE CANNABIS DISPENSING ORGANIZATION.
- (5) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

24. ADULT-USE CANNABIS TRANSPORTING ORGANIZATION to be allowed By-Right in the B-3,B-4, **I-1 and I-2** Zoning Districts within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a Special Use Permit in the AG-2 Zoning District within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a HOME OCCUPATION in any zoning district within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population subject to the relevant requirements of Section 7.1.1 or 7.1.2, subject to the following requirements:

- (1) Shall not be located less than 1.5 miles from a non-home rule municipality.
- (2) Shall not be located less than 1.5 miles from a home rule municipality with a population less than 20,000.

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- (3) Shall not be located less than 1.5 miles from any residential zoning district that is located outside of the 1.5-mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
- (4) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
25. ADULT-USE CANNABIS INFUSER ORGANIZATION to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:

 - (1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.
 - (2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
26. ADULT-USE CANNABIS PROCESSING ORGANIZATION to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:

 - (1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.
 - (2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
27. ADULT-USE CANNABIS CULTIVATION CENTER to be allowed By-Right or by County Board approved Special Use Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts, subject to the following requirements:

 - (1) Shall not be located less than 1.5 miles from a non-home rule municipality.
 - (2) Shall not be located less than 1.5 miles from a home rule municipality with a population less than 20,000.
 - (3) Shall not be located less than 1.5 miles from any residential zoning district that is located outside of the 1.5-mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (4) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more and that that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (5) A CULTIVATION CENTER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CULTIVATION CENTER.
 - (6) A CULTIVATION CENTER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CULTIVATION CENTER.
 - (7) The CULTIVATION CENTER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.
 - (8) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

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28. ADULT-USE CANNABIS CRAFT GROWER to be allowed By-Right or by County Board approved Special Use Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts, subject to the following requirements:
- (1) Shall not be located within 1,500 feet of any CULTIVATION CENTER or other CRAFT GROWER.
 - (2) Shall not be located less than 1.5 miles from a non-home rule municipality.
 - (3) Shall not be located less than 1.5 miles from a home rule municipality with a population less than 20,000.
 - (4) Shall not be located less than 1.5 miles from any residential zoning district that is located outside of the 1.5-mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (5) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more and that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (6) A CRAFT GROWER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CRAFT GROWER.
 - (7) A CRAFT GROWER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CRAFT GROWER.
 - (8) May share a PREMISES with a CANNABIS DISPENSING ORGANIZATION in the B-4 District without a SPECIAL USE Permit.
 - (9) The CRAFT GROWER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.
 - (10) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

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3. Add to Section 6.1.3 as follows (new text underlined>):

SECTION 6.1.3 SCHEDULE OF STANDARD CONDITIONS FOR SPECIFIC TYPES OF SPECIAL USES

SPECIAL USES or USE Categories	Minimum Fencing Required ⁶	Minimum LOT Size		Maximum HEIGHT		Required YARDS (feet)					Explanatory or Special Provisions	
		AREA (Acres)	Width (feet)	Feet	Stories	Front Setback from STREET Centerline ²			SIDE	REAR		
						STREET Classification						
						MAJOR	COLLECTOR	MINOR				
<u>ADULT USE CANNABIS TRANSPORTING ORGANIZATION</u>	<u>NR</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>*See below</u>
<u>ADULT USE CANNABIS CULTIVATION CENTER</u>	<u>NR</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>*See below</u>
<u>ADULT USE CANNABIS CRAFT GROWER</u>	<u>NR</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>(1)</u>	<u>*See below</u>

Footnotes

(1) Standard same as applicable zoning DISTRICT

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Side-by-side comparison of proposed text amendments in Cases 972-AT-20 and 973-AT-20

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Case 972-AT-20	Case 973-AT-20
<p>1. Add the following definitions to Section 3 Definitions:</p> <p>ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p> <p>ADULT-USE 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 necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p> <p>ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p> <p>ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p>	<p>1. Add the following definitions to Section 3 Definitions:</p> <p>ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p> <p>ADULT-USE 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 necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p> <p>ADULT-USE 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p> <p>ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.</p>

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ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

2. Add the following uses to Section 5.2 Table of Authorized Principal Uses:

- a. Add “ADULT-USE CANNABIS DISPENSING ORGANIZATION” to be allowed By-Right in the B-4 Zoning District within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
 - (1) Shall not be located within 1,500 feet of any existing ADULT-USE CANNABIS DISPENSING ORGANIZATION or any existing medical cannabis dispensing organization.
 - (2) If located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that has minimum separation requirements between a dispensing organization to a public or private elementary or secondary school, the use shall comply with those same municipal separation requirements.

ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER: 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, (P.A.101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.

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- a. Add “ADULT-USE CANNABIS DISPENSING ORGANIZATION” to be allowed By-Right in the B-4 Zoning District within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
 - (1) Shall not be located within 1,500 feet of any existing ADULT-USE CANNABIS DISPENSING ORGANIZATION or any existing medical cannabis dispensing organization.
 - (2) If located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that has minimum separation requirements between a dispensing organization to a public or private elementary or secondary school, the use shall comply with those same municipal separation requirements.

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<p>(3) May share a PREMISES with a CRAFT GROWER in the B-4 District without a SPECIAL USE Permit.</p> <p>(4) Consumption of CANNABIS is allowed at the ADULT-USE CANNABIS DISPENSING ORGANIZATION if located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that also allows consumption of CANNABIS at an ADULT-USE CANNABIS DISPENSING ORGANIZATION.</p> <p>(5) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.</p> <p>b. Add “ADULT-USE CANNABIS TRANSPORTING ORGANIZATION” to be allowed By-Right in the B-3, B-4, I-1 and I-2 Zoning Districts within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a Special Use Permit in the AG-2 Zoning District within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a HOME OCCUPATION in any zoning district within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population subject to the relevant requirements of Section 7.1.1 or 7.1.2, subject to the following requirements:</p> <p>(1) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.</p>	<p>(3) May share a PREMISES with a CRAFT GROWER in the B-4 District without a SPECIAL USE Permit.</p> <p>(4) Consumption of CANNABIS is allowed at the ADULT-USE CANNABIS DISPENSING ORGANIZATION if located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality that also allows consumption of CANNABIS at an ADULT-USE CANNABIS DISPENSING ORGANIZATION.</p> <p>(5) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.</p> <p>b. Add “ADULT-USE CANNABIS TRANSPORTING ORGANIZATION” to be allowed By-Right in the B-3, B-4, I-1 and I-2 Zoning Districts within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a Special Use Permit in the AG-2 Zoning District within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population; or as a HOME OCCUPATION in any zoning district subject to the relevant requirements of Section 7.1.1 or 7.1.2, subject to the following requirements:</p> <p><u>(1) Shall not be located less than 1.5 miles from a non-home rule municipality.</u></p> <p><u>(2) Shall not be located less than 1.5 miles from a home rule municipality with a population less than 20,000.</u></p> <p><u>(3) Shall not be located less than 1.5 miles from any residential zoning district that is located outside of the 1.5-mile</u></p>
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<p>c. Add “ADULT-USE CANNABIS INFUSER ORGANIZATION” to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:</p> <ol style="list-style-type: none">(1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.(2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate. <p>d. Add “ADULT-USE CANNABIS PROCESSING ORGANIZATION” to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:</p> <ol style="list-style-type: none">(1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.(2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and	<p><u>extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.</u></p> <p>(4) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.</p> <p>c. Add “ADULT-USE CANNABIS INFUSER ORGANIZATION” to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:</p> <ol style="list-style-type: none">(1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.(2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate. <p>d. Add “ADULT-USE CANNABIS PROCESSING ORGANIZATION” to be allowed By-Right in the I-2 Zoning District that is located within the 1.5-mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:</p> <ol style="list-style-type: none">(1) May share a PREMISES with a CRAFT GROWER in the I-2 District without a SPECIAL USE Permit.(2) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and
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regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.

- e. Add “ADULT-USE CANNABIS CULTIVATION CENTER” to be allowed By-Right or by County Board approved Special Use Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
- (1) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (2) A CULTIVATION CENTER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CULTIVATION CENTER.
 - (3) A CULTIVATION CENTER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CULTIVATION CENTER.
 - (4) The CULTIVATION CENTER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.
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- (1) Shall not be located less than 1.5 miles from a non-home rule municipality.
 - (2) Shall not be located less than 1.5 miles from a home rule municipality with a population less than 20,000.
 - (3) Shall not be located less than 1.5 miles from any residential zoning district that is located outside of the 1.5-mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (4) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more and that that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
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- f. Add “ADULT-USE CANNABIS CRAFT GROWER” to be allowed By-Right or by County Board approved Special Use Permit if located 300 feet or less from an existing residence or an existing residentially zoned lot, in all non-residential zoning districts within the 1.5 mile extraterritorial jurisdiction of a home rule municipality of 20,000 or more population, subject to the following requirements:
- (1) Shall not be located within 1,500 feet of any CULTIVATION CENTER or other CRAFT GROWER.
 - (2) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.
 - (3) A CRAFT GROWER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CRAFT GROWER.

- (7) The CULTIVATION CENTER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.
 - (8) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.
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 - (2) Shall not be located less than 1.5 miles from a non-home rule municipality.
 - (3) Shall not be located less than 1.5 miles from a home rule municipality with a population less than 20,000.
 - (4) Shall not be located less than 1.5 miles from any residential zoning district that is located outside of the 1.5-mile extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more.
 - (5) If located within the 1.5 miles extraterritorial jurisdiction of a home rule municipality with a population of 20,000 or more and that has requirements for odors to be mitigated by installing air scrubbing and/or exhaust air

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Underline is proposed added language as recommended by ZBA

Gray highlight/red text is amended language 4/28/20

<p>(4) A CRAFT GROWER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CRAFT GROWER.</p> <p>(5) May share a PREMISES with a CANNABIS DISPENSING ORGANIZATION in the B-4 District without a SPECIAL USE Permit.</p> <p>(6) The CRAFT GROWER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.</p> <p>(7) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.</p>	<p>filtration or by some other means approved by the Zoning Administrator, the use shall comply with those same municipal odor mitigation requirements.</p> <p>(6) A CRAFT GROWER may also be a CANNABIS TRANSPORTER for CANNABIS grown and or processed at the CRAFT GROWER.</p> <p>(7) A CRAFT GROWER may also be a CANNABIS PROCESSING ORGANIZATION and or a CANNABIS INFUSER ORGANIZATION for CANNABIS that is grown at the CRAFT GROWER.</p> <p>(8) May share a PREMISES with a CANNABIS DISPENSING ORGANIZATION in the B-4 District without a SPECIAL USE Permit.</p> <p>(9) The CRAFT GROWER shall control nighttime lighting to ensure that little to no light escapes into the nighttime sky from where the CANNABIS is grown. The nighttime light controls shall be explained in the Special Use Permit and/or Zoning Use Permit Application.</p> <p>(10) Shall be in compliance with the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 et seq (Public Act 101-0027) as it may be amended from time-to-time, and regulations promulgated thereunder, and a copy of the State-approved license shall be filed with the Zoning Administrator prior to receiving a Zoning Compliance Certificate.</p>
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Exhibit A: Champaign County Planning & Zoning Memo to ELUC

972-AT-20: Dispensing Organization

All cannabis related land uses are subject to State and local requirements

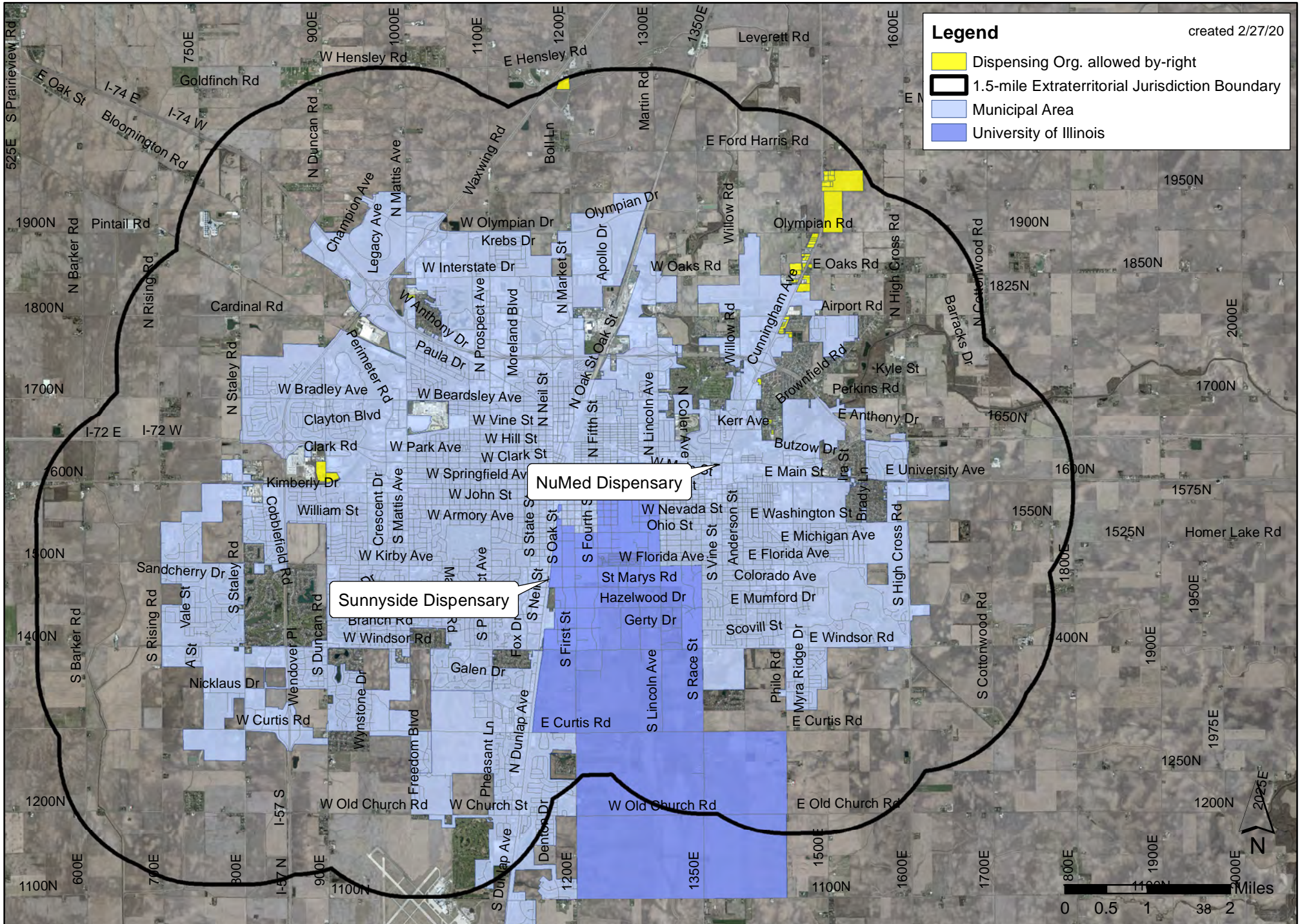


Exhibit A: Champaign County Planning & Zoning Memo to ELUC

972-AT-20: Transporting Organization

All cannabis related land uses are subject to State and local requirements

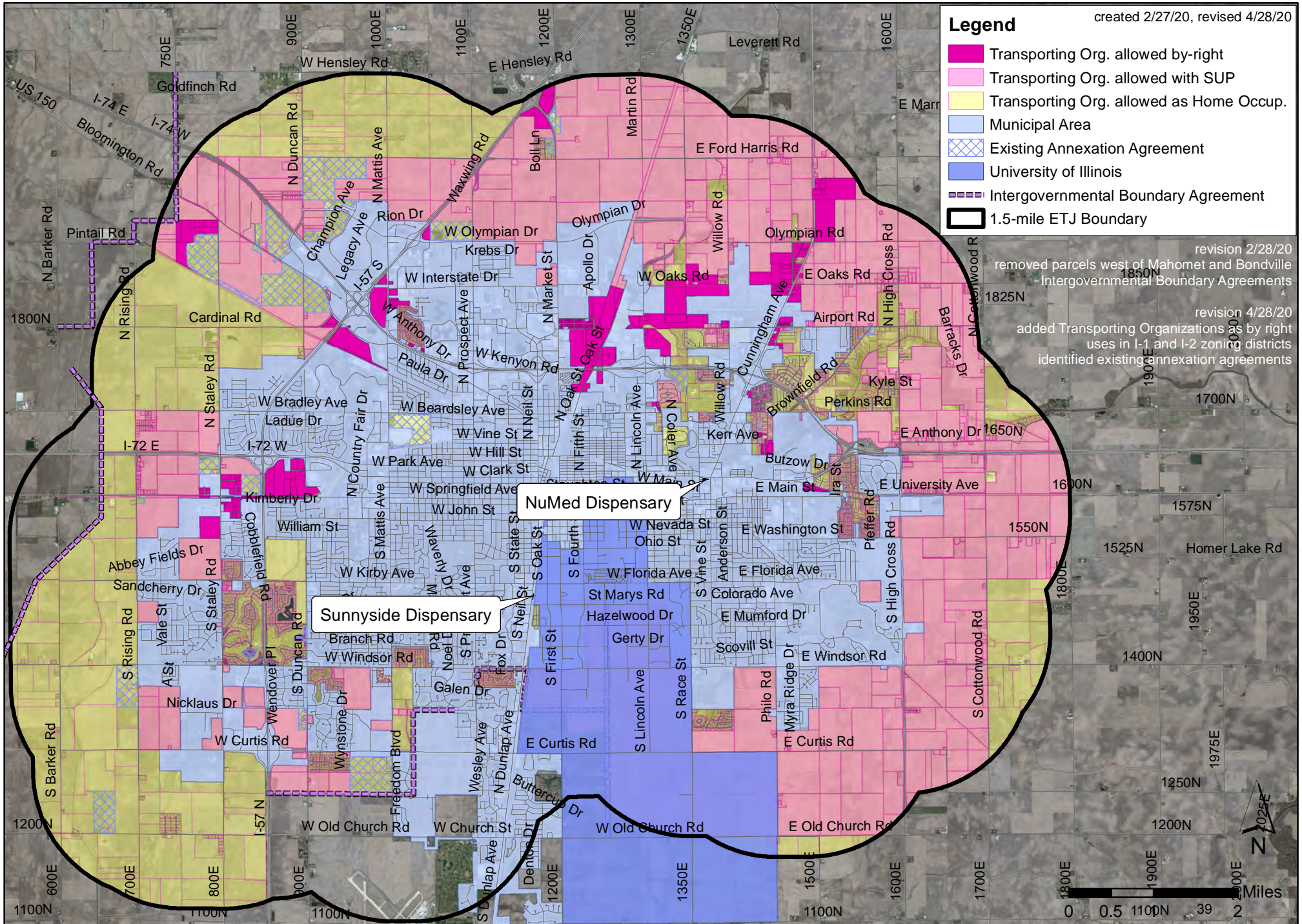


Exhibit A: Champaign County Planning & Zoning Memo to ELUC

972-AT-20: Infuser and Processing Organizations

All cannabis related land uses are subject to State and local requirements

Legend created 2/27/20

- Infuser and Processor Orgs. allowed by-right
- 1.5-mile Extraterritorial Jurisdiction Boundary
- Municipal Area
- University of Illinois

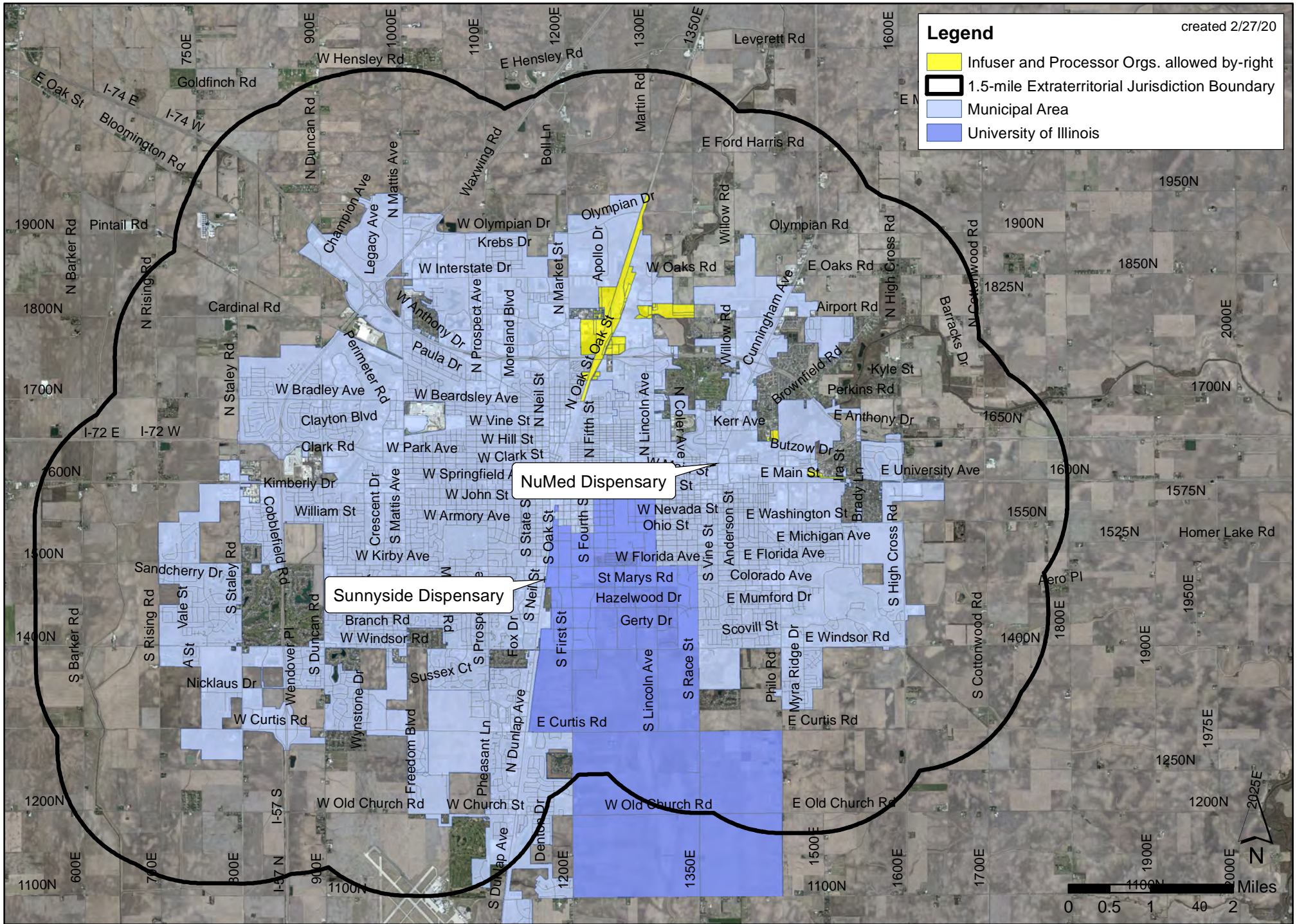


Exhibit A: Champaign County Planning & Zoning Memo to ELUC

972-AT-20: Cultivation Center or Craft Grower

All cannabis related land uses are subject to State and local requirements

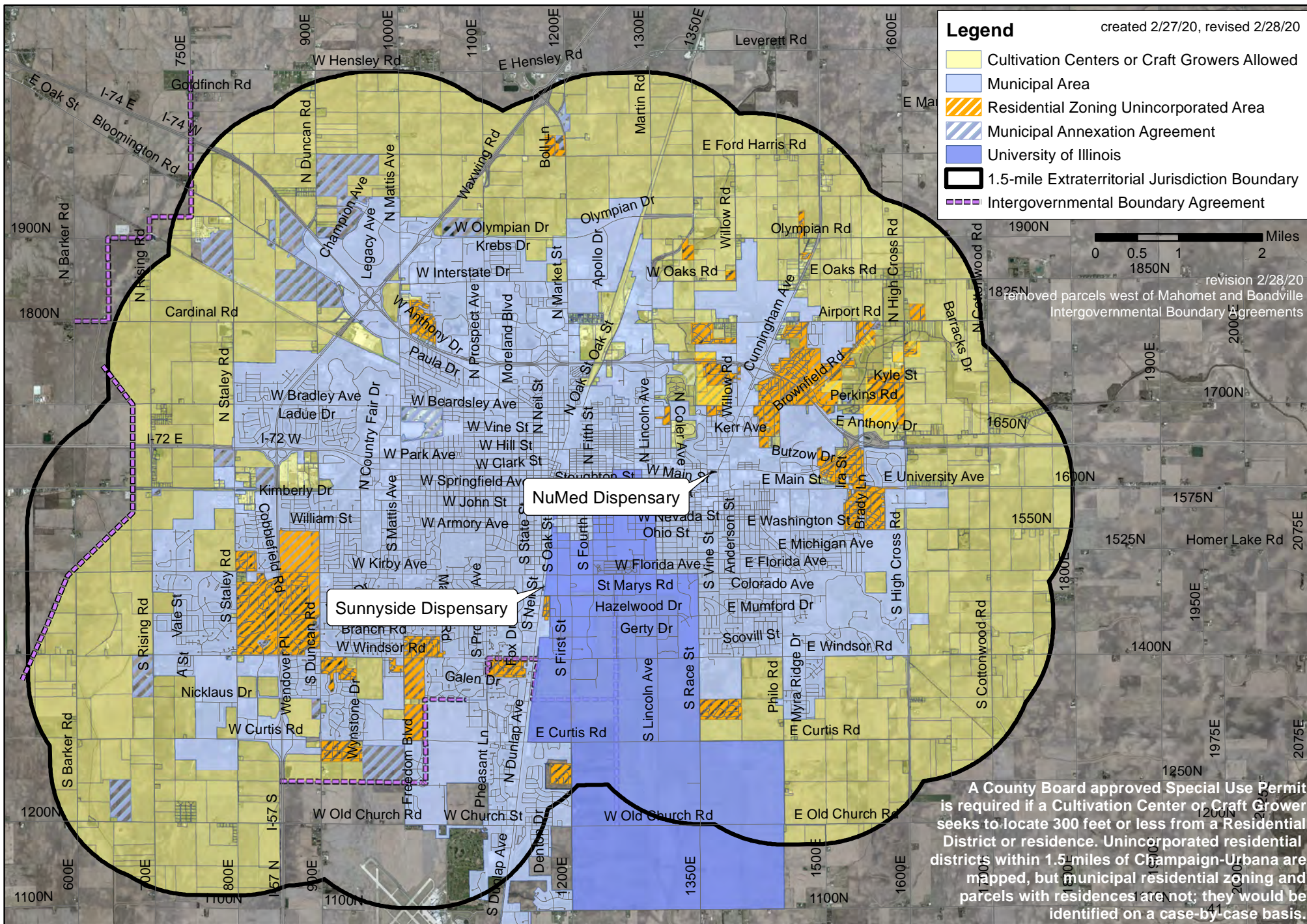


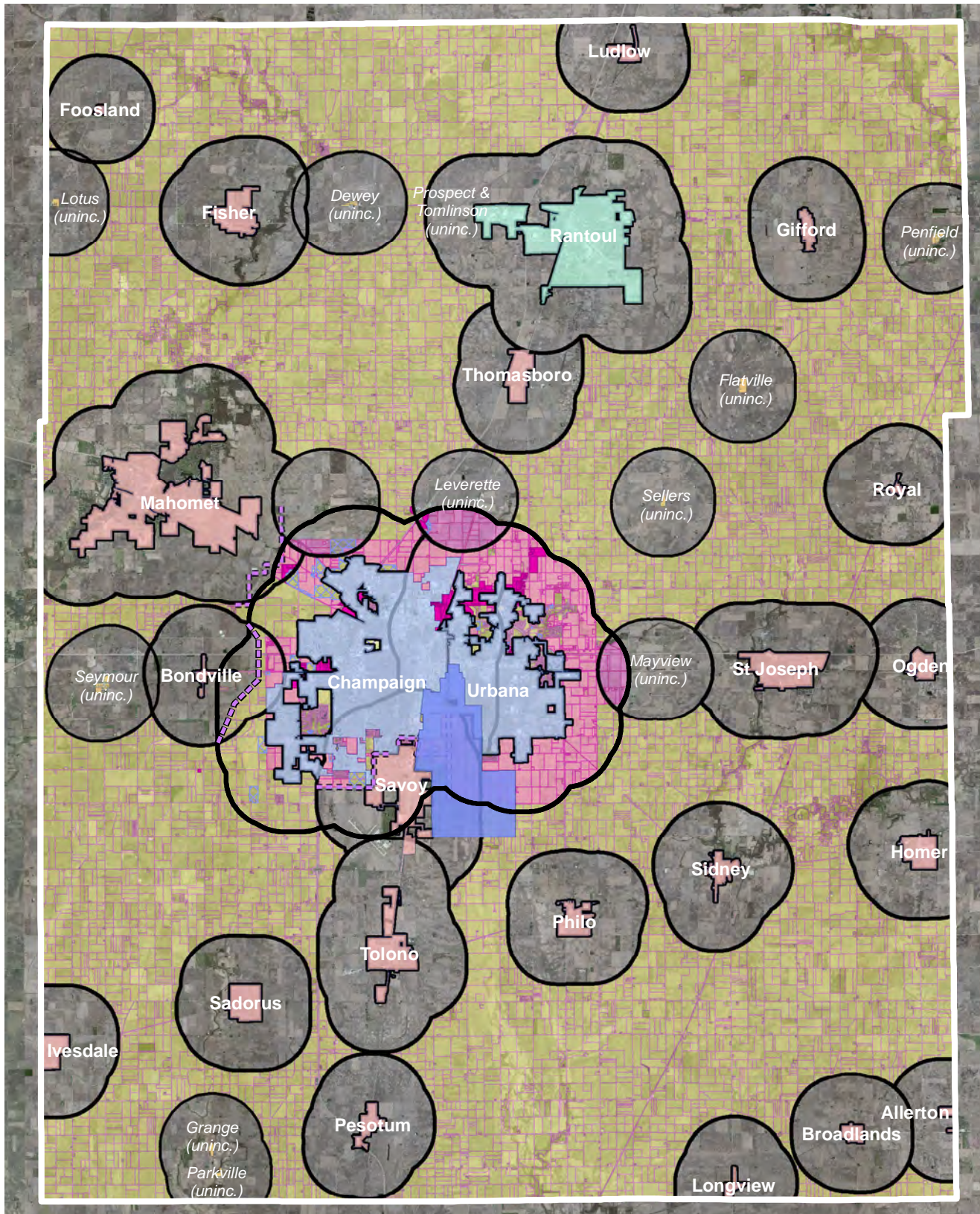
Exhibit A: Champaign County Planning & Zoning Memo to ELUC

973-AT-20: Transporting Organization

972-AT-20 & 973-AT-20
ELUC 05/07/20

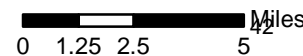
All cannabis related land uses are subject to State and local requirements

Attachment E, Page 5 of 6



Legend

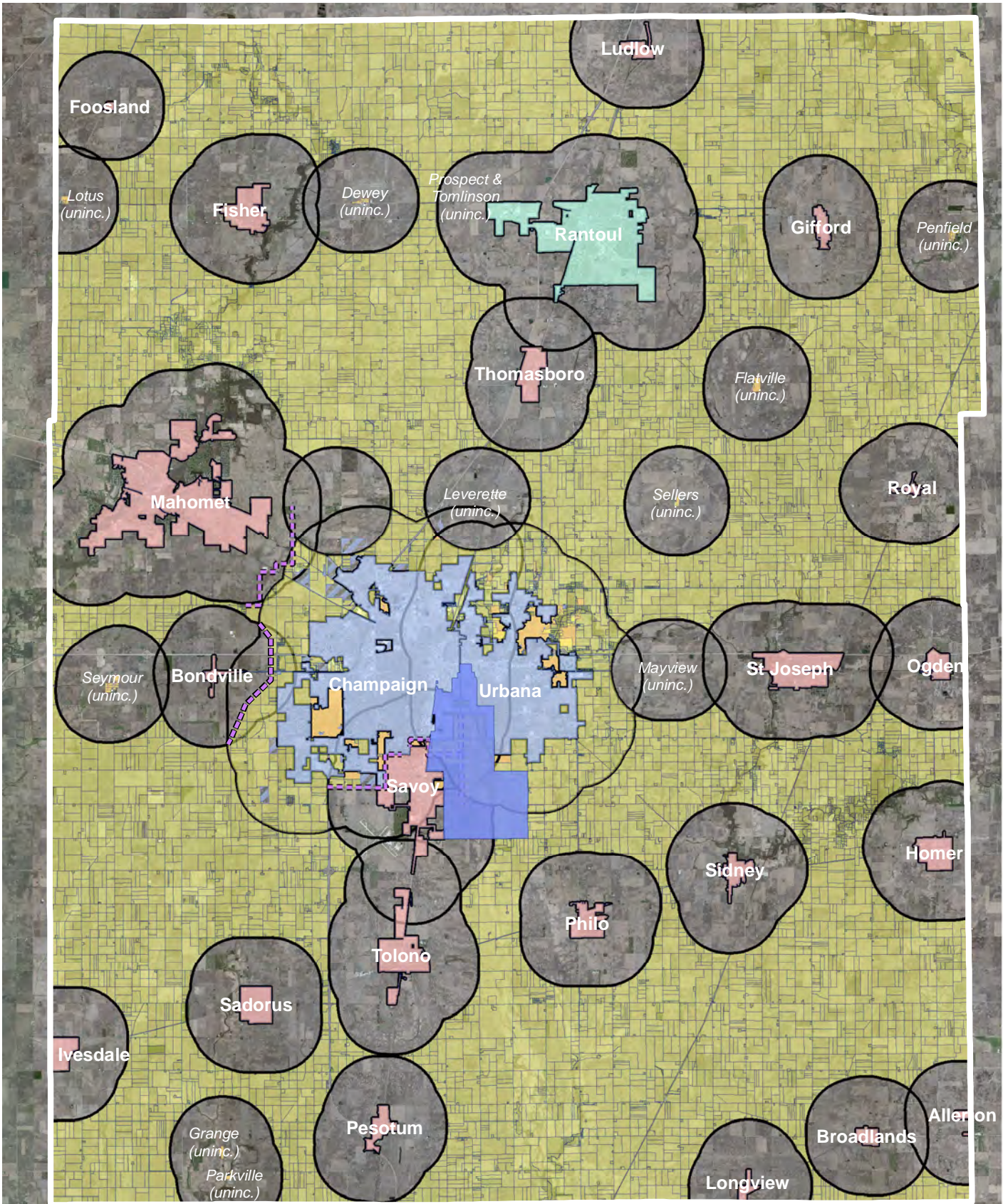
- | | |
|---|--|
| Transporting Org. allowed by-right | Home Rule Muni. Area with >20,000 Population |
| Transporting Org. allowed with SUP | Home Rule Muni. Area with 20,000 or less Population |
| Transporting Org. allowed as Home Occupation | Non-Home Rule Muni. Area |
| Unincorporated residential zoned areas | Existing Annexation Agreement |
| Intergovernmental Boundary Agreements | University of Illinois |
| 1.5-mile Separation | |



created 2/27/20, revised 4/28/20

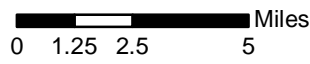
973-AT-20: Cultivation Center or Craft Grower

All cannabis related land uses are subject to State and local requirements



Legend

- Cultivation Centers or Craft Growers Allowed
- Home Rule Muni. Area with >20,000 Population
- Home Rule Muni. Area with 20,000 or less Population
- Non-Home Rule Muni. Area
- Unincorporated residential zoned areas
- 1.5 mile separation
- University of Illinois



A County Board approved Special Use Permit is required if a Cultivation Center or Craft Grower seeks to locate 300 feet or less from a Residential District or residence.

Unincorporated residential districts within 1.5 miles of Champaign-Urbana are mapped, but municipal residential zoning and parcels with residences are not; they would be identified on a case-by-case basis.

Exhibit B: Urbana Cannabis Regulation – Ord. No. 2019-10-059

ORDINANCE NO. 2019-10-059

AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE (Cannabis Text Amendment – Plan Case 2385-T-19)

WHEREAS, the City Council passed Ordinance No. 9293-124 on June 21, 1993, which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, the State of Illinois enacted the Cannabis Regulation and Tax Act (410 ILCS 705/) on June 25, 2019, making it legal as of January 1, 2020, for all adults 21 and older to possess and consume cannabis for non-medical purposes in the State of Illinois; and

WHEREAS, non-medical, adult use cannabis business uses are not included in the Urbana Zoning Ordinance; and

WHEREAS, the Zoning Administrator has submitted a petition to amend the Zoning Ordinance to add definitions and establish use provisions for non-medical, adult use cannabis businesses the Zoning Ordinance; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case No. 2385-T-19; and

WHEREAS, after due publication in accordance with Section XI-7 of the Zoning Ordinance and Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14), the Plan Commission held public hearings on the petition on September 19, 2019 and October 10, 2019; and

WHEREAS, the Plan Commission voted six ayes to zero nays on October 10, 2019, to forward Plan Case No. 2385-T-19 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Exhibit B: Urbana Cannabis Regulation – Ord. No. 2019-10-059

Section 1.

The following provisions of the Urbana Zoning Ordinance are hereby amended and as amended shall read as set forth in Ordinance Attachment A, which is attached hereto and incorporated herein by reference:

- A. Article II, “Definitions,” Section II-3, “Definitions,”
- B. Article V, “Use Regulations,” Section V-13, “Regulations of Medical Cannabis Uses,” Table V-1, “Table of Uses.”

Section 2.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

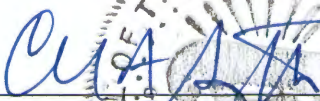
This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

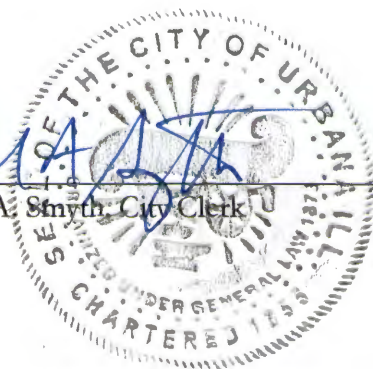
PASSED BY THE CITY COUNCIL this 21st day of October, 2019.

AYES: Brown, Hazen, Hursey, Jakobsson, Miller, Roberts, Wu

NAYS:

ABSTENTIONS:


Charles A. Smyth, City Clerk



APPROVED BY THE MAYOR this 22nd day of October, 2019.

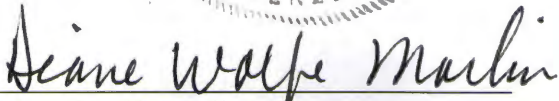

Diane Wolfe Marlin, Mayor

Exhibit B: Urbana Cannabis Regulation – Ord. No. 2019-10-059

ORDINANCE ATTACHMENT A

Section II-3. Definitions

Cannabis Business: A craft grower, cultivation center, dispensary, infuser, processor or transporter, as defined by the Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 *et seq.*, as amended.

Section V-13. Regulation of Cannabis Uses

- A. Medical cannabis uses shall only be allowed in locations that are consistent with the Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 *et seq.*, as amended):
1. No medical cannabis cultivation center shall be located or established in a building or structure within 2,500 feet of the property line of a pre-existing public or private preschool or elementary school or secondary school or day care center, day care home, group day care home, part day child care facility, or on any lot in an R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7, B-3U or MOR Zoning District. State law reference 410 ILCS 130/105(c).
- B. Cannabis business uses shall only be allowed in locations that are consistent with the Cannabis Regulation and Tax Act, 410 ILCS 705/ 1-1 *et seq.*, as amended, and as follows:
1. No non-medical dispensary shall be located on a parcel whose property line is within 1,500 feet of the property line of a pre-existing non-medical dispensary or within 100 feet of a public or private elementary or secondary school. State law references 410 ILCS 705/15-20(b); 410 ILCS 705/15-70(n)(15).
 2. No craft grower shall be located on a parcel whose property line is within 1,500 feet of the property line of another craft grower or cultivation center. State law reference 410 ILCS 705/30-30(o).
 3. A Special Use Permit is required to establish a cannabis cultivation center or craft grower on a parcel whose property line is within 300 feet of any residentially zoned lot in the City of Urbana, City of Champaign, or Champaign County, or in the B-3U or MOR Zoning District.
 4. Cannabis cultivation centers and craft growers shall mitigate exterior odors by installing air scrubbing and/or air filtration systems, or by some other means approved by the Zoning Administrator.

Exhibit B: Urbana Cannabis Regulation – Ord. No. 2019-10-059

Table V-1. Table of Uses

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2	
<i>Cannabis Business</i>																					
Craft Grower									S			P	P	P	P					P	P
Cultivation Center (Non-Medical)									S											P	P
Dispensary (Non-Medical)											S	P	P	P	P					P	P
Infuser												P	P*	P*	P					P	P
Processor																				P	P
Transporter																				P	P
<i>Medical Cannabis</i>																					
Medical Cannabis Cultivation									S											S	P
Medical Cannabis Dispensary												P		P						P	

**Use permitted by right when the gross square footage of the use is 3,500 square feet or less per floor, and by conditional use when the gross square footage is greater than 3,500 square feet per floor.*

Exhibit B: Urbana Cannabis Regulation – Ord. No. 2019-10-059



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Charles A. Smyth, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 21st day of October, 2019 the City Council of the City of Urbana passed and approved Ordinance No. 2019-10-059, entitled:


**AN ORDINANCE AMENDING THE URBANA ZONING ORDINANCE
(CANNABIS TEXT AMENDMENT – PLAN CASE 2385-T-19)**

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

The pamphlet form of Ordinance No. 2019-10-059 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 22nd day of October, 2019, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 22nd day of October, 2019.





Charles A. Smyth, City Clerk

Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps



Cannabis Use Permitted

- By Right
- Special Use Permit

Business Type

- Cultivation Centers
- Craft Growers
- Dispensaries
- Infusers
- Processors
- Transporters

ign

-  Urbana
-  NuMed Dispensary

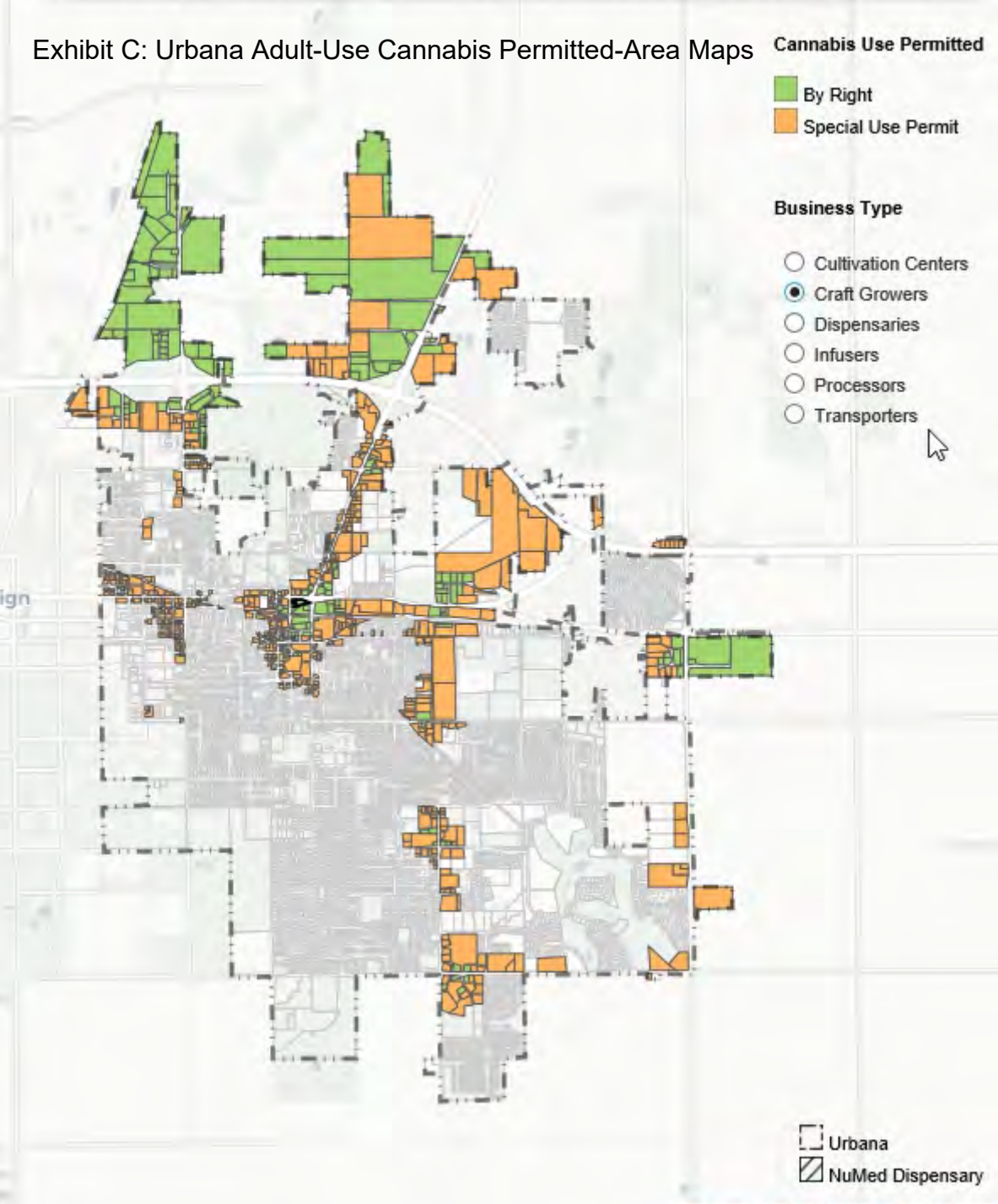


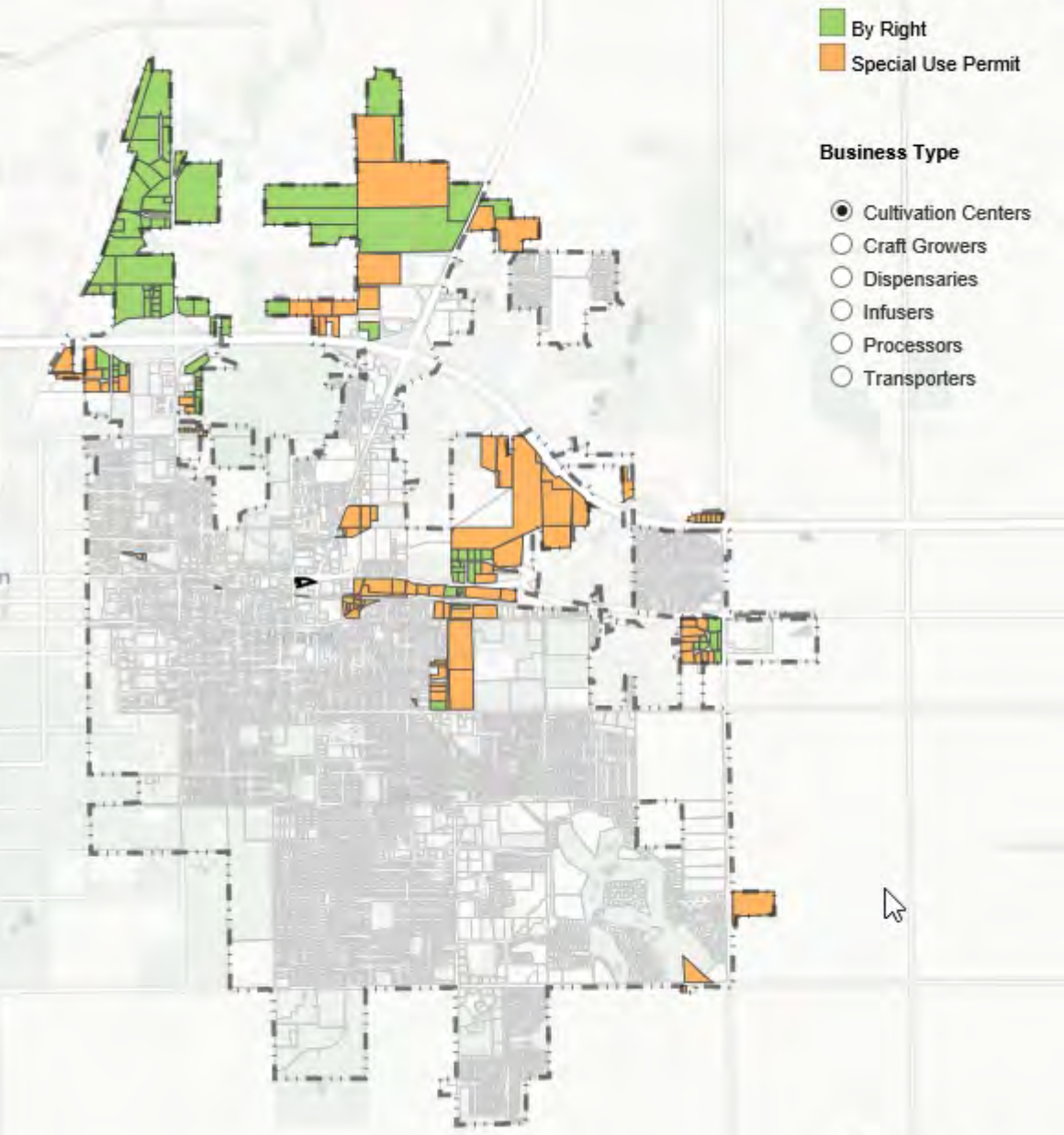
Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps

Cannabis Use Permitted

- By Right
- Special Use Permit

Business Type

- Cultivation Centers
- Craft Growers
- Dispensaries
- Infusers
- Processors
- Transporters



- Urbana
- NuMed Dispensary

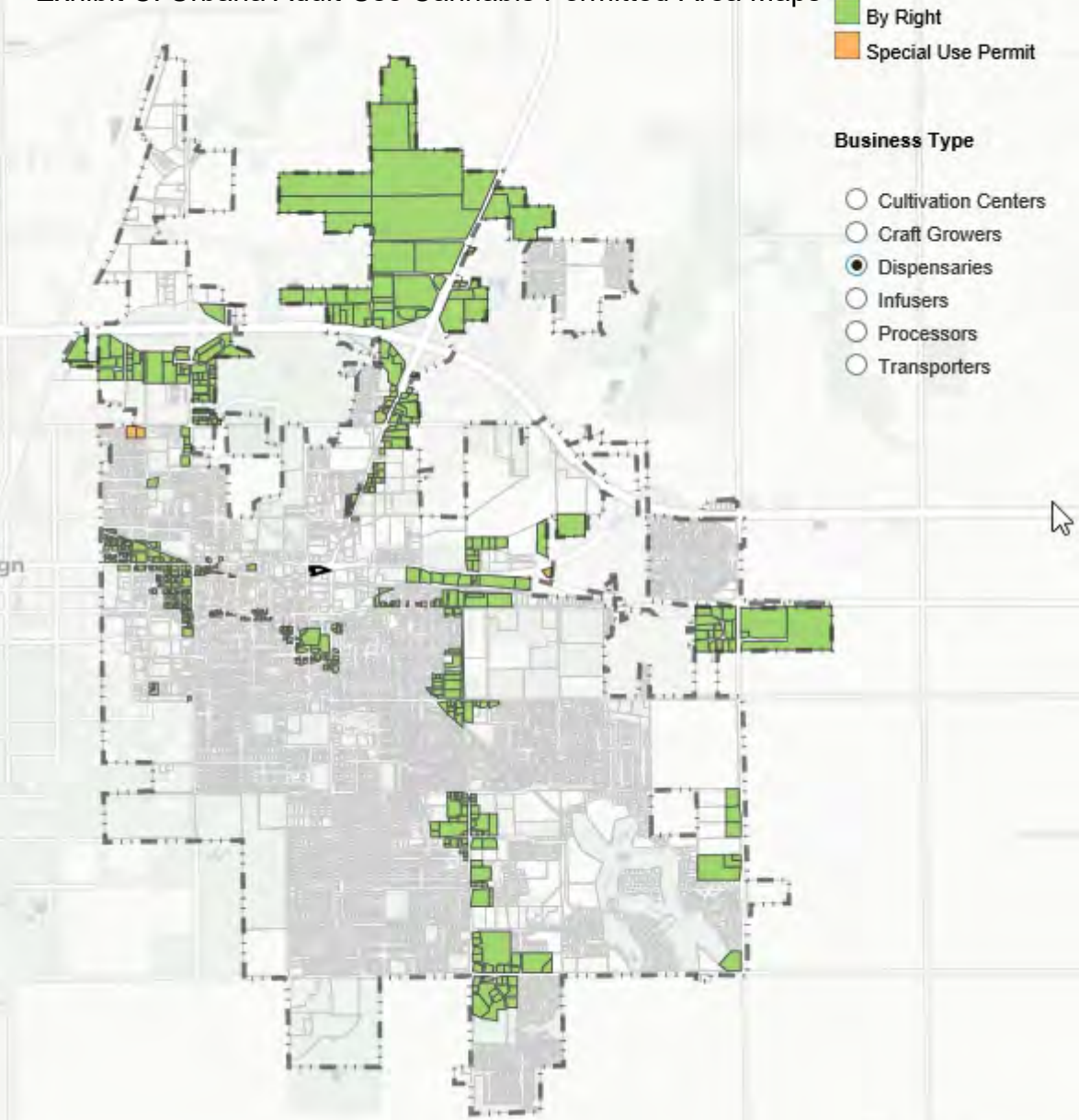
Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps

Cannabis Use Permitted

- By Right
- Special Use Permit

Business Type

- Cultivation Centers
- Craft Growers
- Dispensaries
- Infusers
- Processors
- Transporters



- Urbana
- NuMed Dispensary

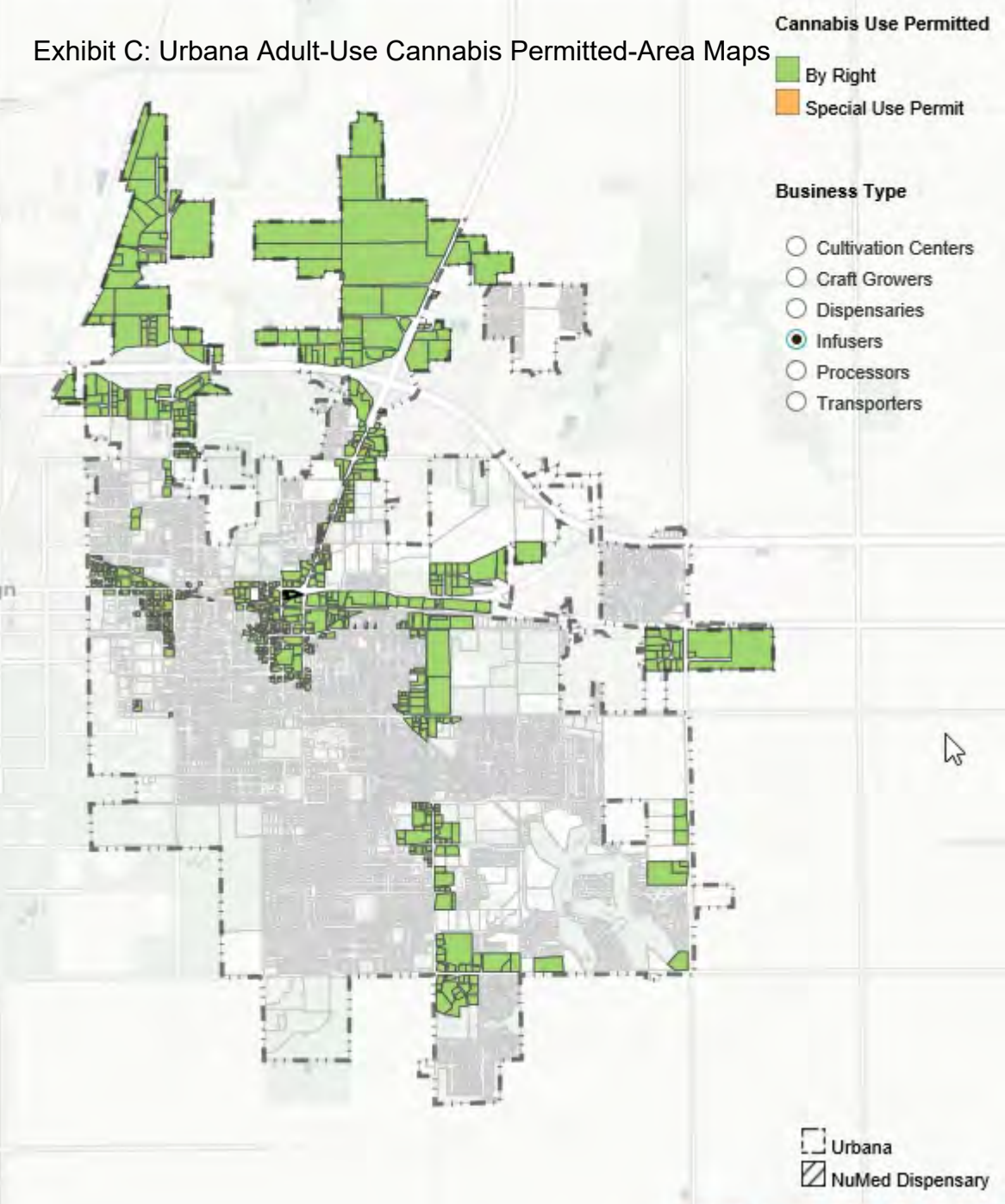
Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps

Cannabis Use Permitted

- By Right
- Special Use Permit

Business Type

- Cultivation Centers
- Craft Growers
- Dispensaries
- Infusers
- Processors
- Transporters



- Urbana
- NuMed Dispensary

Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps

Cannabis Use Permitted

By Right

Special Use Permit

Business Type

○ Cultivation Centers

○ Craft Growers

○ Dispensaries

○ Infusers

● Processors

○ Transporters

▭ Urbana

▨ NuMed Dispensary

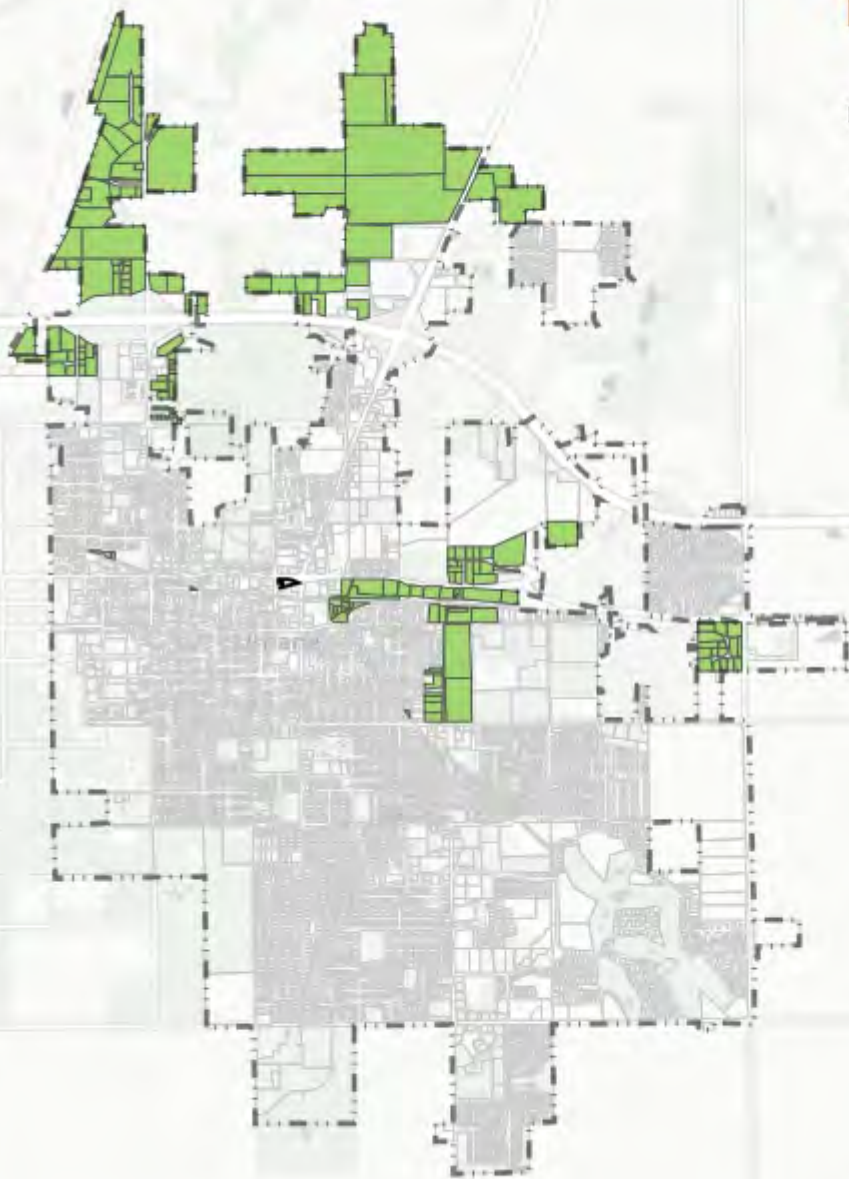


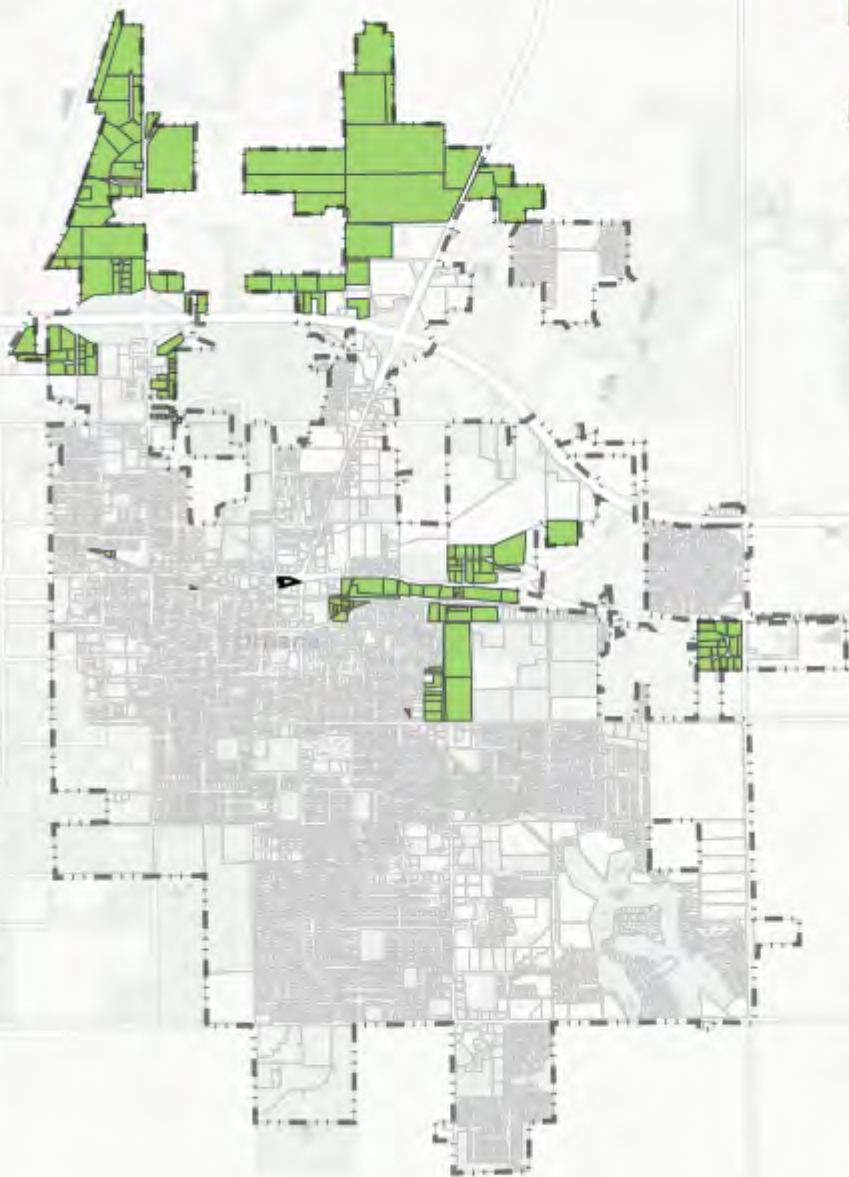
Exhibit C: Urbana Adult-Use Cannabis Permitted-Area Maps

Cannabis Use Permitted

- By Right
- Special Use Permit

Business Type

- Cultivation Centers
- Craft Growers
- Dispensaries
- Infusers
- Processors
- Transporters



- Urbana
- NuMed Dispensary

Exhibit D: Comparison of Urbana and Proposed County Regulations

Use	Urbana		972-AT-20		973-AT-20	
	Districts	Map location	Districts	Map location	Districts	Map location
Craft grower	P: B3, B3U, B4, B4E, IN1, IN2 S: AG	P: N of I-74, W of Cunningham; Federal, Butzow, Industrial, WalMart, Downtown, Philo & Windsor corridors S: Cunningham, Anthony, Lincoln & Federal, B3U area, Downtown, University corridor, LRC, Lierman, Industrial, Birkey's, Philo & Windsor corridor, High Cross	B or P: CR, AG1, AG2, B1-B5, I1, I2	P: ETJ B required: Brownfield Rd., Brady Ln., Ira Ln., University Ave., Willow Rd., Yankee Ridge	*B or P: CR, AG1, AG2, B1-B5, I1, I2	P: ETJ; <i>added unincorporated areas of county outside NHRMs, subtracted unincorporated areas of Leverette and Mayview</i> B required: Brownfield Rd., Brady Ln., Ira Ln., University Ave., Willow Rd., Yankee Ridge
Cultivation center	P: IN1, IN2 S: AG	P: N of I-74, W of Cunningham; Federal Dr., Butzow Dr., Industrial Circle S: N. Cunningham, Anthony Dr., LRC, Lierman Ave., Main St., Industrial Circle, Birkey's, Federal Dr.	B or P: CR, AG1, AG2, B1-B5, I1, I2	P: ETJ B required: Brownfield Rd., Brady Ln., Ira Ln., University Ave., Willow Rd., Yankee Ridge	*B or P: CR, AG1, AG2, B1-B5, I1, I2	identical to 972-AT-20
Dispensing organization	P: B3, B3U, B4, B4E, IN1 S: B2	P: Cunningham, I-74 & Lincoln Ave, B3U area, Downtown Fringe, E. University, Industrial/Walmart, Philo, High Cross S: 2 parcels - Bradley Ave., E. University & Guardian Dr.	P: B4	P: far N. Cunningham Ave.	P: B4	identical to 972-AT-20
Infuser	^P: B3, B3U, B4, B4E, IN1, IN2	P: Cunningham, I-74/Lincoln, B3U, Downtown-Fringe, E. University, Philo, Industrial/Walmart, High Cross, Windsor	P: I2	P: N. Oak St. & Wilbur Rd., Ward St., E. Main & E. University intersection	P: I2	identical to 972-AT-20
Processor	P: IN1, IN2	P: N of I-74 & W of Cunningham, Federal. Butzow, Industrial Circle, Cunningham, Lierman, University Ave. corridor	P: I2	P: N. Oak St. & Wilbur Rd., Ward St., E. Main & E. University intersection	P: I2	identical to 972-AT-20
Transporter	P: IN1, IN3	P: N of I-74 & W of Cunningham, Federal Dr., Butzow Dr., Industrial Circle, far N. Cunningham, Lierman Ave., University Ave. corridor	P: B3, B4, I1, I2 any district as an HO S: AG2	P: Oaks, Cunningham, Coler, Ward E. Main & E. University intersection HO: Country Club, Brownfield, E of Cottonwood, Yankee Ridge S: remainder of ETJ	*P: B3, B4, I1, I2 any district as an HO S: AG2	P: Oaks, N. Cunningham, Coler, Ward, E. Main & E. University intersection HO: Country Club, Brownfield, E of Cottonwood, Yankee Ridge; <i>added unincorporated areas of county outside NHRMs</i> S: remainder of ETJ

B = County Board Special Use permitted

HO = Home Occupation

P = Permitted by right

S = Special Use permitted

*** = Additional site location restrictions**

^ = Permitted in the B3U and B4 districts by right if gross square footage is 3,500 sf or less per floor; otherwise a Conditional Use