

## Memorandum

*To: Chair Dawson and Members of the Plan Commission*

*From: Bill Enright, Assistant Director Planning and Community Development*

*Date: May 18, 2022*

*Re: Chapter 28: Zoning Text Amendment – Adult Use Cannabis Dispensaries*

***Plan Commission Public Hearing: May 25, 2022 7:30 pm***

### Background

In August, 2020, the Village Board adopted an Ordinance establishing a pilot program to allow one adult use cannabis dispensary at Golf Road and Arlington Heights Road. The pilot program has twice been extended by the Board, with the current program expiring June 30, 2022.

On February 21, 2022 the Board discussed allowing adult use cannabis with restrictions on the total number and locations of future dispensaries. After significant discussion related to which zoning districts should allow for dispensaries, and whether there should be a maximum cap on number of dispensaries, the Board directed staff to develop a draft ordinance amending Chapter 28 Zoning, which is included in this packet. Minutes of the Board's meeting are attached.

On May 11, 2022, the Ordinance Review Committee reviewed the proposed Ordinance and recommended approval to the Plan Commission as reflected in the attached meeting minutes.

### Proposed Ordinance

The proposed ordinance would permit adult use cannabis dispensaries in the B-2 and B-3 zoning districts, which include most of the commercial zoning districts in the municipality. The Board did provide direction to limit the number of dispensaries by area of the Village. Thus the proposed Ordinance, drafted by the Village attorney, would allow just one dispensary in each of three geographic areas of the Village as described below:

Maximum number of three dispensaries, with one dispensary in each of three "zones" in the Village as follows:

1. North of Hintz Road
2. Hintz Road to Central Road
3. South of Central Road

The permitted use table would be amended to indicate where dispensaries would be allowed as permitted in B-2 and B-3. They would not be permitted elsewhere.

Also addressed in the Ordinance is to add a parking requirement for dispensaries at a ratio of 1:200. This is based on parking analysis of other dispensaries researched by staff (see attached). In addition, Verilife

(existing cannabis dispensary) conducted several parking studies at their existing location at Golf and Arlington Heights Road (see Exhibit A) and found no parking nor traffic issues at this shopping center. The surveys conducted by staff found that parking issues arose in towns that allowed dispensaries in industrial zoning where parking is typically limited. Where dispensaries were located in commercial centers, parking did not cause issues. Staff does recommend a 1:200 ratio which is the same as medical uses, versus 1:300 for general retail, as smaller centers with less parking could cause issues.

The Village's police Department reported that there were no issues with the Verilife dispensary since it opened.

### **Recommendation**

Approval of the text amendment to Chapter 28 related to adult use cannabis dispensaries pursuant to the attached Ordinance.