

Recreational Cannabis

Proposed Text Amendments to the Lombard Zoning Ordinance

Village of Lombard
Board of Trustees Meeting: PC 19-19
September 19, 2019

Recreational Cannabis in Lombard

On July 31, the Lombard Village Board held a Special Workshop Session to discuss and provide direction:

- The Village Board expressed its desire to consider allowing for the retail sale of cannabis in Lombard
- The Village Board directed staff to begin to prepare materials and schedule a public hearing to consider text amendments to the Zoning Ordinance setting for the land use aspects of such potential sales

Communication Efforts to Date

- **July 31, 2019 Board meeting**
 - Due notice, social meeting outreach, follow up engagement
- **August 29, 2019 Plan Commission meeting**
 - Required notice per Zoning Ordinance for text amendments
 - Social media outreach
 - Village e-news
 - Lombard Channel televised meeting
- Dedicated website and email address
- **September 19, 2019 Village Board meeting**
 - Due notice, social media outreach, Village e-news

Zoning Process

If allowed, should recreational cannabis be a permitted or conditional use? What zoning districts?

- ▶ Permitted use - can open by right without Plan Commission or Village Board review/approval

- ▶ Conditional use process
 - ▶ Allows the review of each petition
 - ▶ Approximate 60-90 day process
 - ▶ Public hearing with the Plan Commission
 - ▶ Requires Village Board consideration/vote on each case individually

Recreational Cannabis Dispensaries

- ▶ Retail establishments in which individuals 21 or over can purchase limited quantities (up to 30 grams) of cannabis for their personal use
- ▶ Can be in either be in traditional forms or in edibles form
- ▶ Dispensaries are not growers or cultivation centers
- ▶ Dispensaries are not home occupations
- ▶ Recreational cannabis dispensaries may open on January 1, 2020 with a State license (will most likely be existing medical dispensaries)
- ▶ Such establishments will need to follow zoning regulations of the local jurisdiction in which the business seeks to open
- ▶ Many other communities going through similar review process

Summation of BOT and PC Recommendations

District	Proposed Designation by Village Board at the July workshop session	Plan Commission Recommendation
O	Permitted	Permitted
I	Permitted	Permitted
B1	Conditional	Conditional
B2	Conditional	Conditional
B3	Permitted	Conditional
B4	Permitted	Conditional
B4A	Permitted	Permitted
B5	Conditional	Prohibited
B5A	Conditional	Prohibited

Differences are noted in *red*

Lombard Zoning District Designations

Lombard Office (O) District

- ▶ One office district in the Village
- ▶ Allows for businesses that are offices, including medical office, as a permitted use
- ▶ Medical cannabis is conditional use

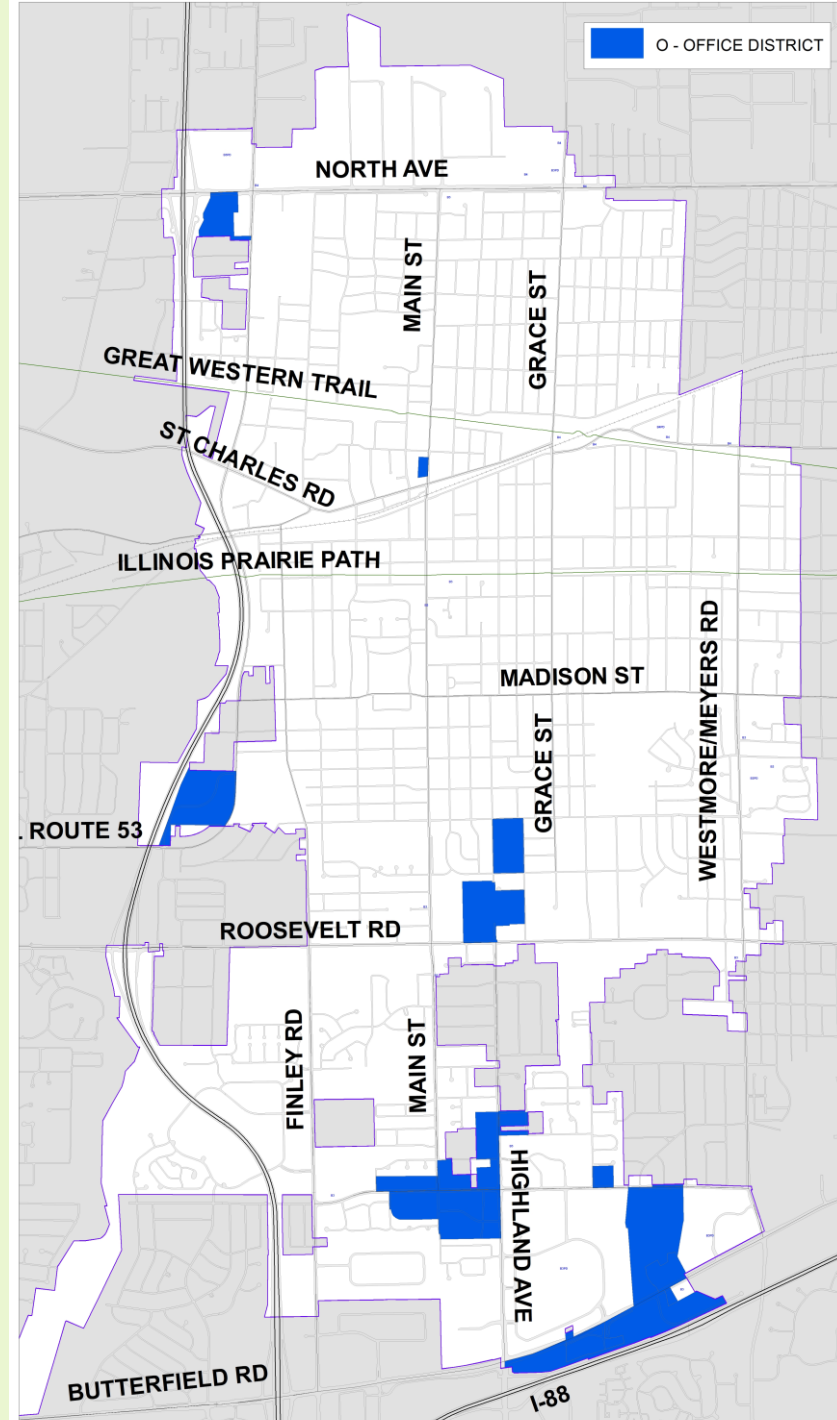
Initial Board Direction: Cannabis Dispensing Facility as a permitted use; strike medical cannabis as a land use/conditional use in the Ordinance

Plan Commission concurred

Map of Office District

Key Areas:

- ▶ Heron Point (North Avenue and Route 53)
- ▶ Woodlake Business Park
- ▶ 22nd Street
- ▶ Highland Avenue
- ▶ Butterfield Road



Limited Industrial (I) District

- ▶ One industrial district in the Village
- ▶ Allows for businesses that are manufacturers, warehouses, offices, etc., as a permitted use
- ▶ Allows for indoor athletic training centers (learning centers), banks, schools, medical offices, etc. with a conditional use permit

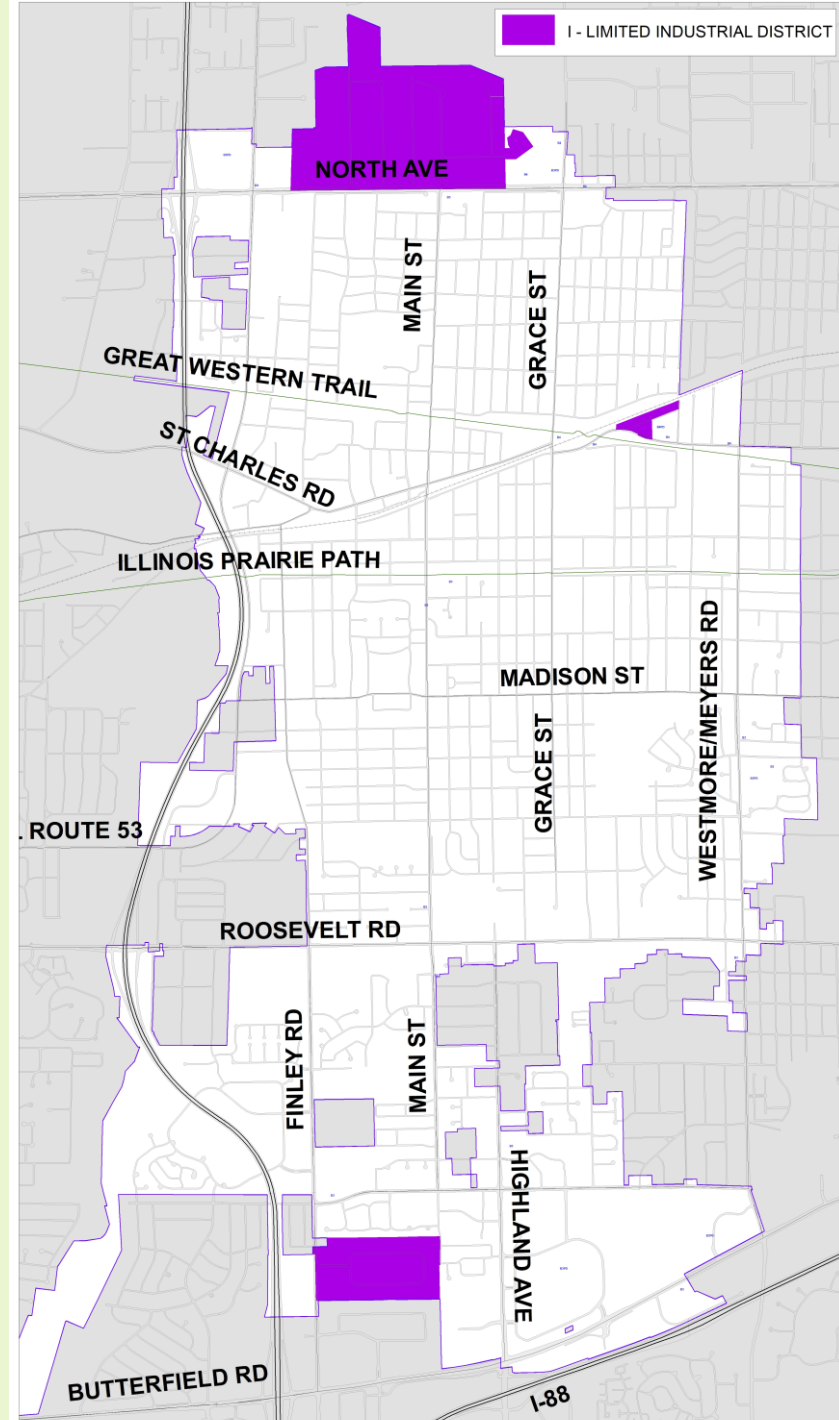
Initial board Direction: Cannabis Dispensing Facility as a permitted use

Plan Commission concurred

Map of the Industrial District

Key Areas:

- ▶ Properties north of North Avenue
- ▶ Western Avenue and St. Charles Road
- ▶ Yorkbrook Business Park on Eisenhower Lane and Finley Road



Lombard Retail Districts

- ▶ B1 and B2
 - ▶ Considered neighborhood commercial
 - ▶ Most businesses are smaller in nature and serve the immediate neighborhood
 - ▶ Closer to residential areas

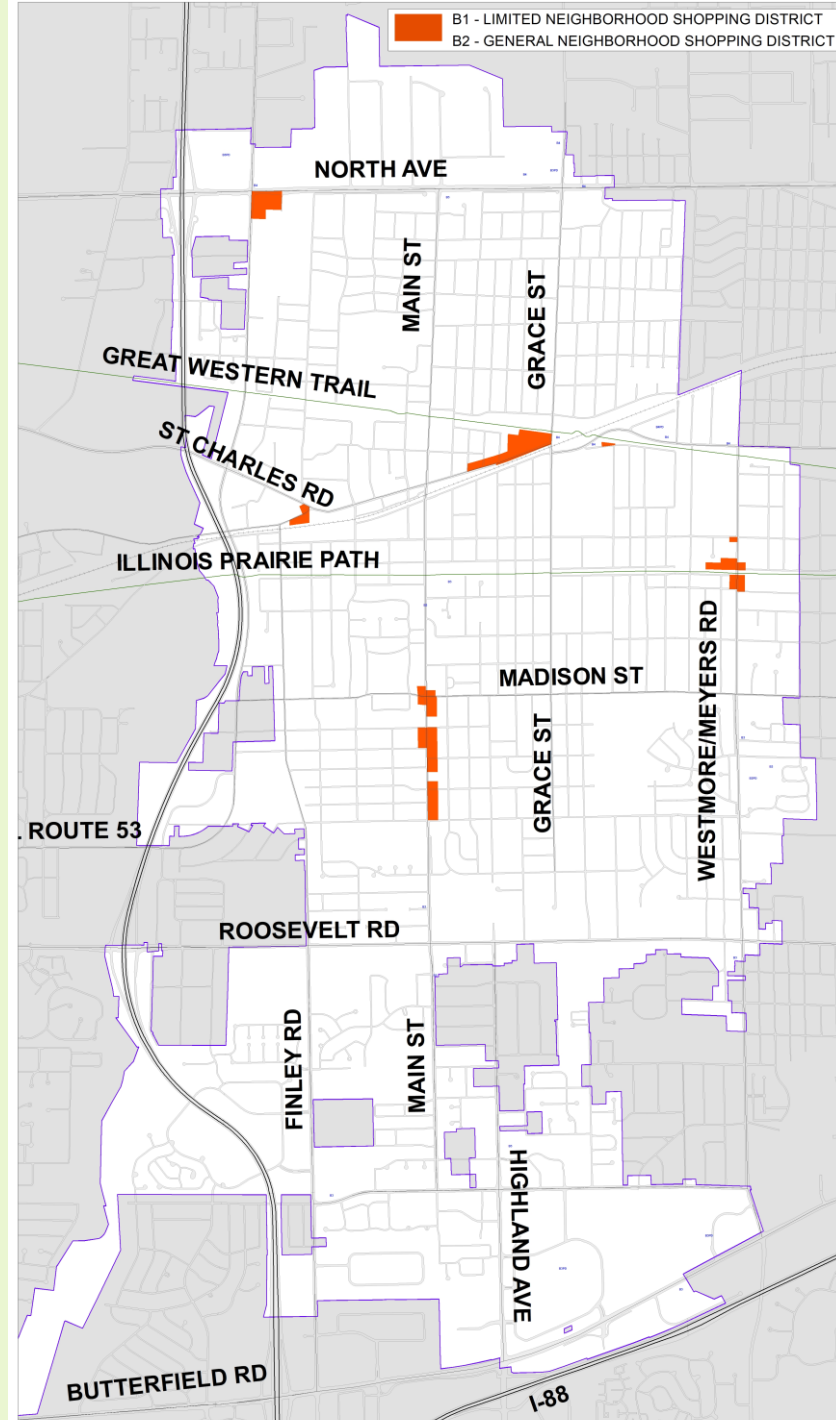
Initial Board Direction: Cannabis Dispensing Facility as a conditional use

Plan Commission concurred

Map of Retail Districts B1, B2

Key Areas:

- ▶ South Main Street
- ▶ East St Charles Road (between Garfield and Grace)
- ▶ Westmore/IL Prairie Path



Lombard Retail Districts (B3 and B4)

- ▶ Considered community shopping districts
- ▶ Draw from a larger area, including areas outside Lombard
- ▶ Higher intensity areas
- ▶ Liquor stores (packaged goods) are permitted uses in the B3 and B4 districts

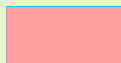
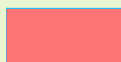
Initial Board Direction: Cannabis Dispensing Facility as a permitted use

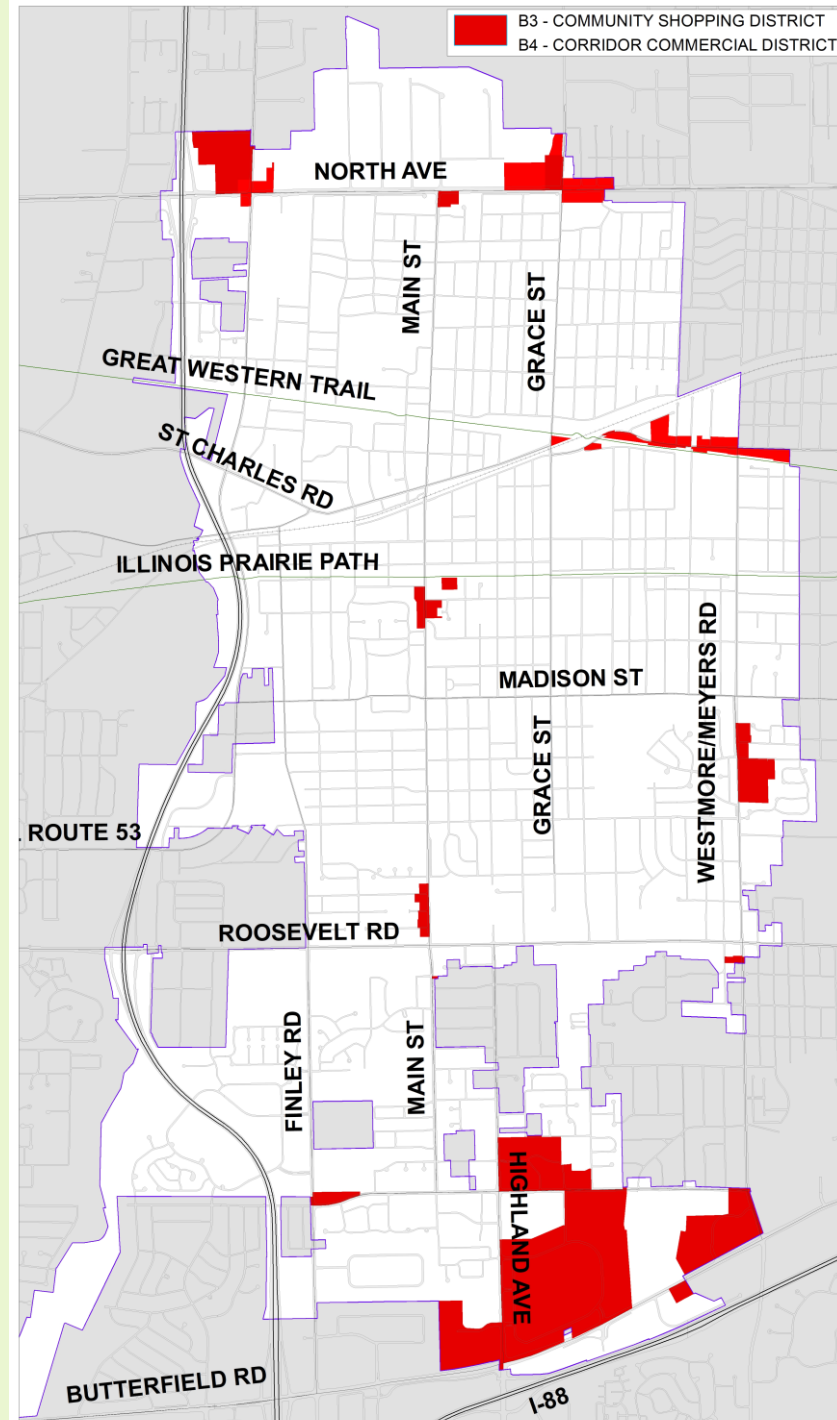
Plan Commission recommended that B3 and B4 be conditional uses

Map of Retail Districts B3 and B4

Key Areas:

- ▶ East St Charles Road (east of Great Western Trail)
- ▶ Yorktown Center
- ▶ Highland Avenue
- ▶ North Avenue
- ▶ Main St. (near Hickory)

-  B3 / B3PD
COMMUNITY SHOPPING DISTRICT
-  B4 / B4PD
CORRIDOR COMMERCIAL DISTRICT



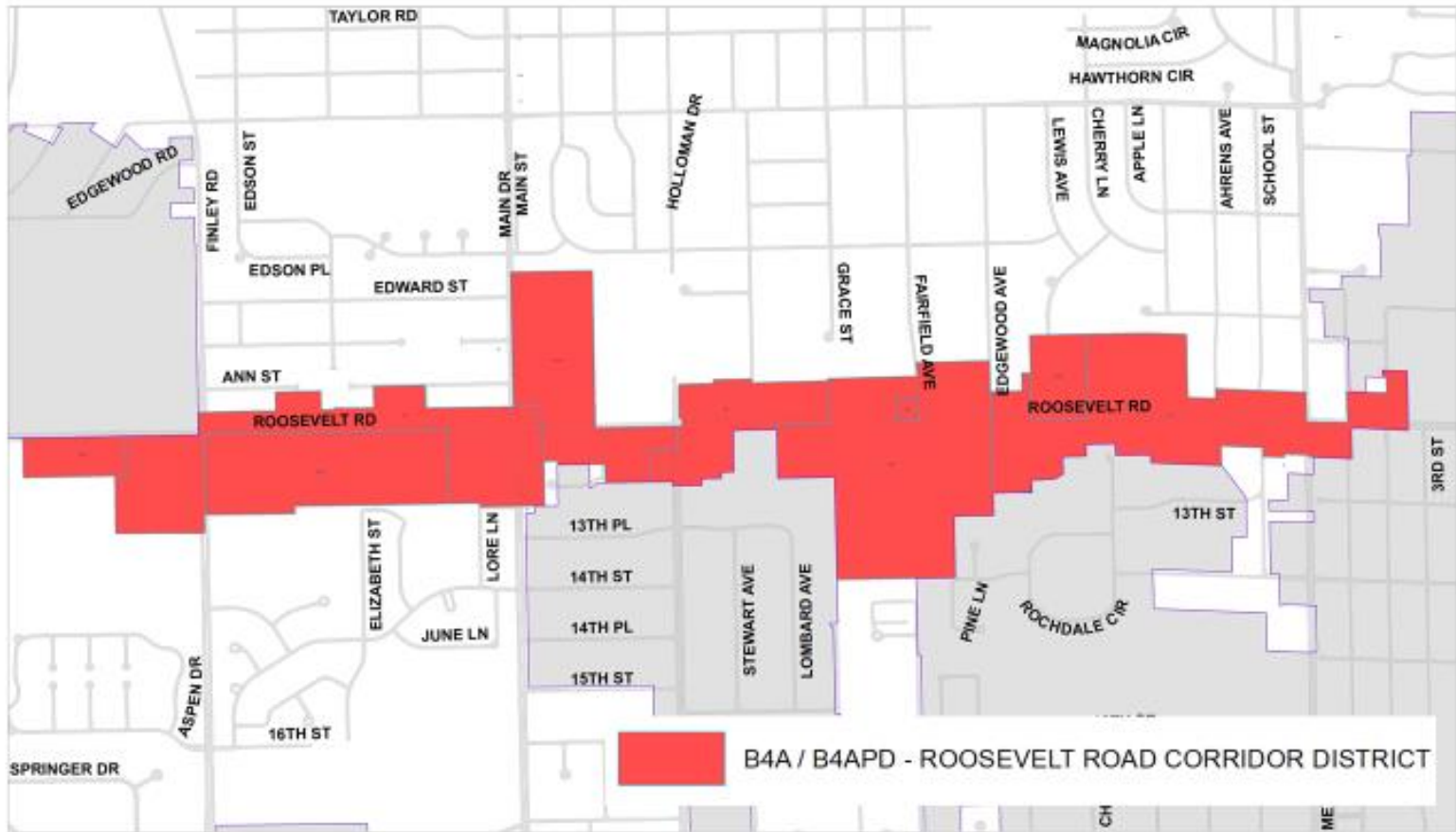
Lombard Retail District (B4A)

- ▶ Roosevelt Road Corridor Zoning District
 - ▶ Draw from a larger area, including areas outside Lombard
- ▶ Liquor stores (packaged goods) are permitted uses in the B4A districts

Initial Board Direction: Cannabis Dispensing Facility as a permitted use

Plan Commission concurred

Map of Retail District (B4A)



B5 and B5A - Downtown and Downtown Perimeter Districts

- ▶ The B5 Central Business district constitutes the "downtown" core area of the Village of Lombard. It is intended to accommodate all retail, service and specialty shops and necessary civic services characteristic of the traditional central area. (Purpose statement)
- ▶ The B5A Downtown Perimeter District is intended to be a transition between the downtown and other commercial areas that accommodates all retail, service, and specialty shops and necessary civic services characteristic of the traditional central area in a pedestrian environment while also recognizing compatible automotive land uses. (Purpose statement)

Initial Board Direction: Cannabis Dispensing Facility as a conditional use

Plan Commission recommended that the use be prohibited in B5 and B5A

Map of B5 and B5A Districts



Buffers

- ▶ Staff reviewed buffer distances of 100' and 1,000'
 - ▶ There must be a rational nexus between the uses and proposed buffer
 - ▶ Buffer of 1,000' was deemed to be too restrictive and included the most of downtown
- ▶ State imposed buffers 1,500' between recreational cannabis dispensaries
 - ▶ Municipalities cannot decrease this buffer

Staff Recommendation: No Buffers; consider land use relationships as part of conditional use process, where warranted and appropriate

Plan Commission agreed

Additional Zoning Considerations

Definitions (Section 155.802)

- ▶ Remove term “medical cannabis dispensing organization” from the Zoning Ordinance
- ▶ Amend definition of “Smoking Establishment” to delete term “medical” (therefore prohibiting all types of cannabis consumption activities in a smoking establishment)
- ▶ Add a definition for a cannabis dispensary facility

General Provisions

- ▶ Create new Code Section (Section 155.225) to note prohibited uses and activities
 - ▶ Cannabis cultivation centers
 - ▶ Processing organizations
 - ▶ Transporting organizations
- ▶ Precluding on-site consumption of cannabis as part of any conditional or permitted use

Plan Commission agreed

Summation of BOT and PC Recommendations

District	Proposed Designation by Village Board at the July workshop session	Plan Commission Recommendation
O	Permitted	Permitted
I	Permitted	Permitted
B1	Conditional	Conditional
B2	Conditional	Conditional
B3	Permitted	Conditional
B4	Permitted	Conditional
B4A	Permitted	Permitted
B5	Conditional	Prohibited
B5A	Conditional	Prohibited

Differences are noted in *red*

Map of Initial Board Direction



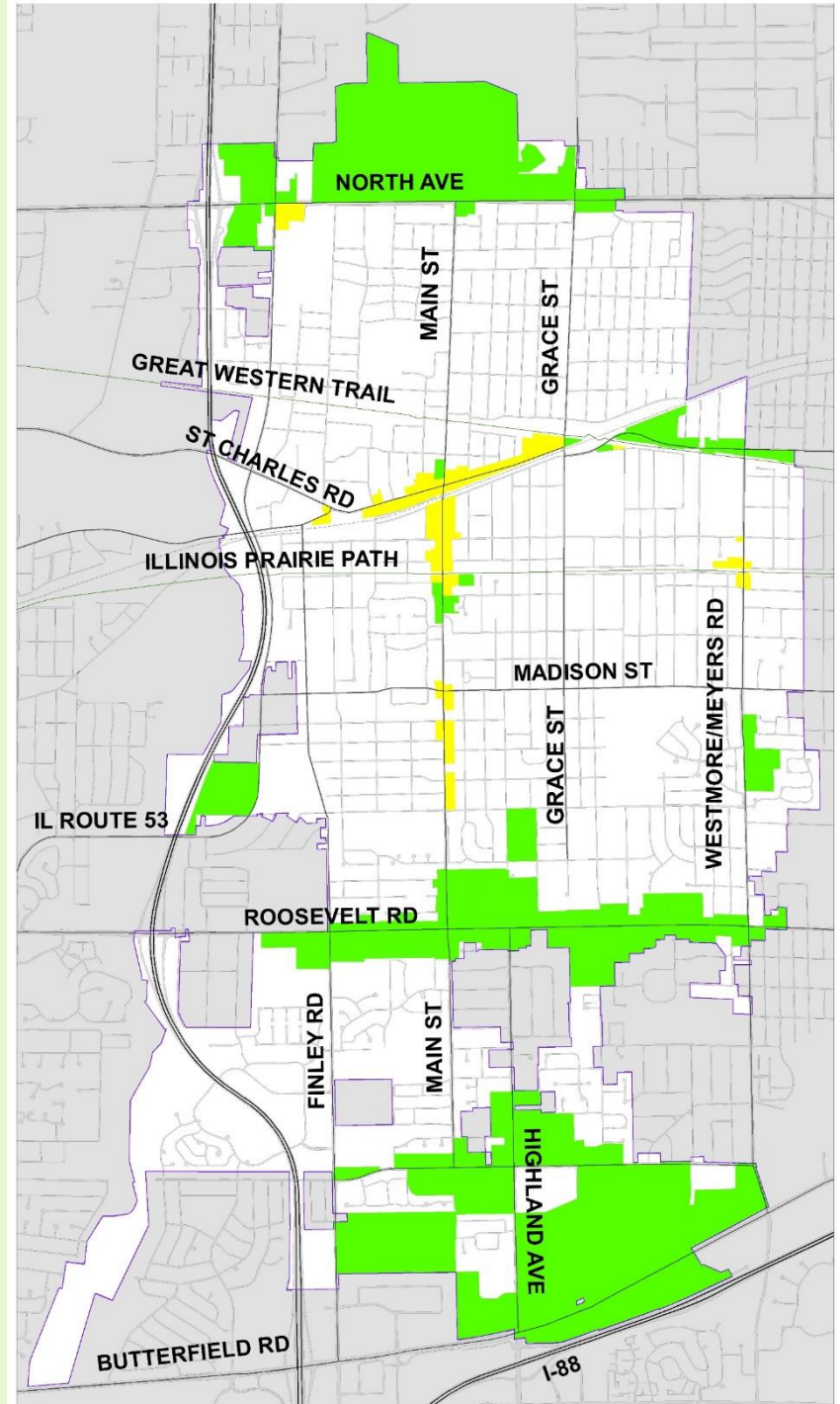
Permitted Use



Conditional Use



Prohibited Use



Map of Plan Commission Recommendations



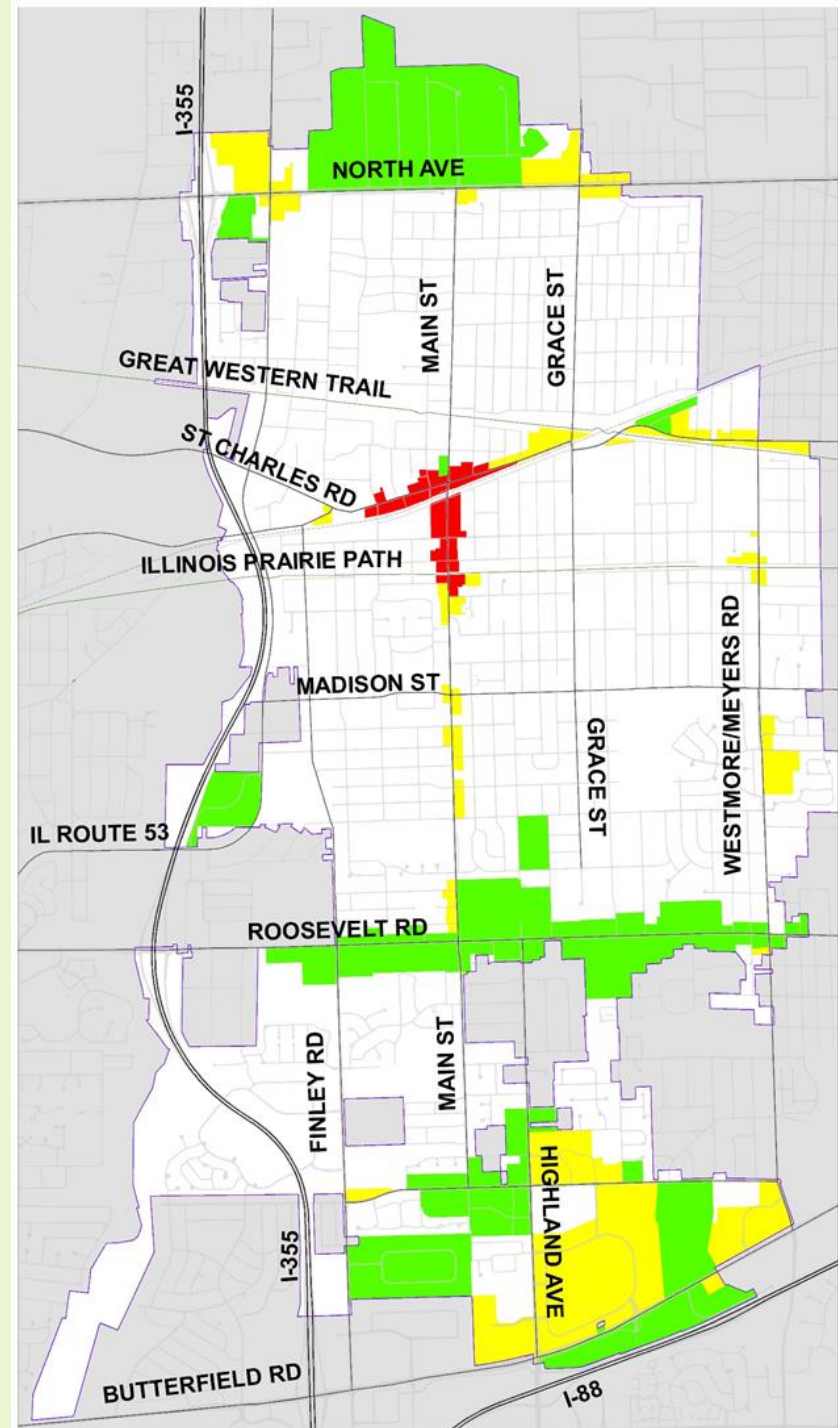
Permitted Use



Conditional Use



Prohibited Use



PC 19:19 - Village Board Meeting

- ▶ Review the Plan Commission recommendations and consider the draft Ordinance as prepared from the Plan Commission Meeting
- ▶ If the Board wishes to not follow the Plan Commission recommendation, direct staff to prepare a new Ordinance with amended findings and specifics, for the October 3, 2019 Board Meeting
- ▶ Note: Establishing a 3% sales tax on local cannabis sales to be considered by Village Board following zoning discussion