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City of St. Charles, Illinois

Ordinance No. 2014-Z-8

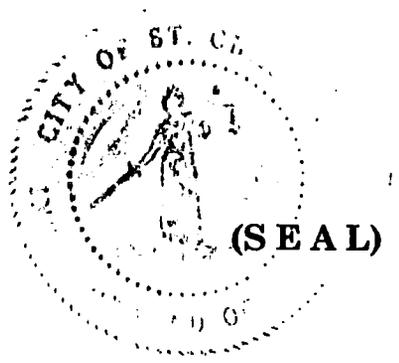
**Ordinance Amending Title 17 of the St. Charles
Municipal Code Entitled "Zoning" Table 17.16-1
"Office/Research, Manufacturing, and Public Land
Districts Permitted and Special Uses", Section 17.20.030
"Standards for Specific Uses", Table 17.24-3 "Required
Off-Street Parking", and Section 17.30.020 "Use
Definitions" Regarding Medical Cannabis Cultivation
Centers and Dispensing Organizations**

**Adopted by the
City Council
of the
City of St. Charles
May 5, 2014**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, May 9, 2014**

Nancy Gammson

City Clerk



City of St. Charles, IL
Ordinance No. 2014-Z- 8

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled “Zoning” Table 17.16-1 “Office/Research, Manufacturing, and
Public Land Districts Permitted and Special Uses”, Section 17.20.030
“Standards for Specific Uses”, Table 17.24-3 “Required Off-Street Parking”,
and Section 17.30.020 “Use Definitions” Regarding Medical Cannabis
Cultivation Centers and Dispensing Organizations**

WHEREAS, on or about January 16, 2014, The City of St. Charles (“the Applicant”) filed an application to amend the Zoning Ordinance of the City of St. Charles regarding permitting Medical Cannabis Cultivation Centers and Medical Cannabis Dispensing Organizations in the M-2 Limited Manufacturing Zoning District; and,

WHEREAS, Notice of Public Hearing on said application was published on or about January 18, 2014 and republished on or about February 14, 2014, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing regarding said application on or about February 4, 2014 and March 18, 2014 in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of said application on or about March 18, 2014; and,

WHEREAS, the Government Operations Committee of the City Council recommended approval of said application on or about April 21, 2014; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Government Operations Committee and has considered the same:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section 1.

2. That Chapter 17.16 “Office/Research, Manufacturing, and Public Land Districts” Table 17.16-1 “Office/Research, Manufacturing, and Public Land Districts Permitted and Special Uses” is hereby amended by modifying said table as follows:

TABLE 17.16-1 OFFICE/RESEARCH, MANUFACTURING, AND PUBLIC LAND PERMITTED AND SPECIAL USES					
P=Permitted Use S=Special Use A=Permitted Accessory Use SA=Special Use, Accessory Only	ZONING DISTRICT				SPECIFIC USE STANDARDS
	OR	M-1	M-2	PL	
RETAIL, OFFICE AND SERVICE USES					
Medical Cannabis Dispensing Organization			P		
INDUSTRIAL/STORAGE USES					
Medical Cannabis Cultivation Center			P		

3. That Chapter 17.20 “Use Standards” Subsection 17.20.030 is hereby amended by adding new Subsections “M” and “N” and re-lettering the existing subsections “M” through “X” to Subsections “O” through “Z”. The new Subsections “M” and “N” shall be as follows:

“M. Medical Cannabis Cultivation Center.

A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

N. Medical Cannabis Dispensing Organization

1. A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.
2. A registered dispensing organization may not be located in a house, apartment, condominium, or an area zoned for residential use.”

4. That Chapter 17.24 “Off-Street Parking, Loading & Access” Table 17.24-3 “Required Off-Street Parking” is hereby amended by modifying said table as follows:

TABLE 17.24-3 REQUIRED OFF-STREET PARKING	
USE	PARKING REQUIREMENT
RETAIL AND SERVICE USES	
Medical Cannabis Dispensing Organization	3 per 1,000 of GFA
INDUSTRIAL AND OFFICE USES	
Medical Cannabis Cultivation Center	1 per 1,000 of GFA

5. That Chapter 17.30 "Definitions" Section 17.30.020 "Use Definitions" is hereby amended by adding the following use definitions:

"

Medical Cannabis Cultivation Center. A facility operated by an organization or business that is registered by the State of Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

Medical Cannabis Dispensing Organization. A facility operated by an organization or business that is registered by the State of Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients."

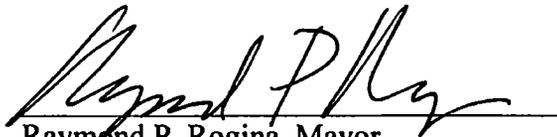
6. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

7. This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 5th day of May 2014.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 5th day of May 2014.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 5th day of May 2014.


Raymond P. Rogina, Mayor

Attest:


Nancy Garrison
City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes: 10

Nays: 0

Absent:

Abstain:



APPROVED AS TO FORM:

City Attorney

DATE: _____

State of Illinois)
)
Counties of Kane and DuPage) ss.

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on May 5, 2014, the Corporate Authorities of such municipality passed and approved Ordinance No. 2014-Z-8, entitled

"Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning" Table 17.16-1 "Office/Research, Manufacturing, and Public Land Districts Permitted and Special Uses", Section 17.20.030 "Standards for Specific Uses", Table 17.24-3 "Required Off-Street Parking", and Section 17.30.020 "Use Definitions" Regarding Medical Cannabis Cultivation Centers and Dispensing Organizations,"

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

The pamphlet form of Ordinance No. 2014-Z-8, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on May 9, 2014, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 5th _____ day of May 2014.



Nancy Garrison
Municipal Clerk