



AGENDA

Carbondale Planning Commission August 18, 2021- 6:00 p.m.

- 1. Call to Order and Roll Call**
- 2. Approval of Minutes:** June 2, 2021
- 3. Citizen Comments and Questions**
- 4. Report of Officers, Committees, Communications**
- 5. Public Hearings**

PC 22-02: The City of Carbondale has proposed a text amendment to Title 15 of the Carbondale Revised Code relative to cannabis infuser organization, cannabis processing organizations, and cannabis transporting organizations.

- 6. Old Business**

None
- 7. New Business**

None
- 8. Adjournment**



MINUTES

Carbondale Planning Commission Wednesday, June 2, 2021 3:00 p.m. Webinar Meeting

Ms. Litecky called the meeting to order at 3:05 p.m.

Members Present: Sheffer, Hamilton, Lilly, Litecky, Henson

Members Absent: Miller, Burnside, Love, LeBeau

Staff Present: Lenzini, Brightharp and Maxwell

1. Approval of Minutes:

Mr. Sheffer moved, seconded by Dr. Hamilton, to approve the minutes for September 9, 2020.

The motion to approve the minutes with corrections passed with a unanimous voice vote.

2. Citizen Comments or Questions

There were none.

3. Report of Officers, Committees, Communications

There were none.

4. Public Hearings

There were none.

5. Old Business

There was none.

6. New Business

- A. Mr. Lenzini went over the new staff structuring that occurred since the last meeting, as well as the changing of the name Development Services Department to Community Development Department. Mr. Lenzini stated that the purpose of the

meeting is to touch base with the Commission members and to let the members know of the changes that has happened within the Planning Department. Mr. Lenzini went over the future projects that are coming up within the department. There was a discussion on the outcome of the census and the future of Home Rural.

Ms. Leticky asked when in person meetings will resume.

Mr. Lenzini stated that the next meeting will be in person as the government has started to open back up.

Ms. Leticky ask if the SIH Project, a new urgent care, that was approved in the previous meeting has started or when it will start.

Mr. Lenzini stated the department has not seen any plan submissions on that project at this time.

Ms. Leticky ask what is in the old hotel on New Era and Route 13.

Mr. Lenzini stated that it is a hotel and it's open and has been remodeled.

6. Adjournment

Ms. Litecky adjourned the meeting at 3:30 p.m.



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M-E-M-O-R-A-N-D-U-M

TO: City of Carbondale Planning Commission

FROM: Megan Brightharp, Senior Planner ^{MB}

RE: PC 22-02, Text Amendment Relative to Cannabis Cultivation, Processing, and Sales

DATE: August 9, 2021

(Planning Commission Public Hearing on August 18, 2021 at 6:00 p.m.)

PART A. GENERAL INFORMATION

1. Applicant:
City of Carbondale
200 South Illinois Avenue
Carbondale IL, 62901
2. Requested Action and Background:

On June 25, 2019, Governor J.B. Pritzker signed the Illinois Cannabis Regulation and Tax Act Bill, legalizing the use of recreational cannabis beginning January 1, 2020, in the state of Illinois. The City of Carbondale, as a home-rule community, may regulate cannabis in a manner consistent with the Act. The Act outlines options for carrying out this regulation, and one is through the municipality's zoning ordinances.

On November 26, 2019 The City of Carbondale's City Council approved an ordinance amending Title 15 of the City of Carbondale's Revised Code to modify the Zoning District Use Tables and to expressly permit cannabis businesses within the appropriate districts. This ordinance included an exhibit that presented the updated use tables for residential and nonresidential districts and included new definitions for the proposed use categories in the General Definitions section for the terms cannabis business establishment, cannabis craft grower, cannabis cultivation center, and cannabis dispensing organization.

The City is requesting to update the Title 15 Zoning District Use Tables and General Definition sections to also include the uses 'processing organization', 'infuser organization', and 'transporting

organization’.

PART B. ANALYSIS

In the City’s recent adoption of Ordinance 2019-33, Title 15 was updated to include the uses ‘cannabis business establishment’, ‘cannabis craft grower’, ‘cannabis cultivation center’, and ‘cannabis dispensing organization’ within the Use Tables in sections 2.28 and 2.29 and in the General Definitions in section 11.4. These terms and their definitions are all considered cannabis business establishments, but are not exclusively the only businesses of this nature permitted within the State of Illinois. In order to ensure that the City of Carbondale’s Revised Code continues to reflect the State of Illinois’ Cannabis Regulations and Tax Act, staff proposes adding the following additional uses to the Use Tables (Exhibit A) and General Definitions section (Exhibit B) of the Carbondale Revised Code; ‘Cannabis Processing Organization’, ‘Cannabis Infuser Organization’, and ‘Cannabis Transporting Organization’.

Title 15 of Carbondale’s Revised Code currently allows for the cultivation and distribution of recreational cannabis, explicitly allowing for them to occur by right or by special use in the appropriate zones. In this proposal, ‘Cannabis Infusion Organization’, ‘Cannabis Processor Organization’, and ‘Cannabis Transporting Organization’ are being proposed in residential and rural districts as special uses in the AG, General Agriculture, district as outlined in Table 2.28. In the nonresidential districts, as outlined in table 2.29, ‘Cannabis Infusion Organization’ and ‘Cannabis Processor Organization’ are being proposed as permitted uses in the Light Industrial Service use category under the LI, Light Industrial, and GI, General Industrial, districts and as a special use in the SB, Secondary Business, district. ‘Cannabis Transporting Organization’ is considered to fall into the Warehouse and Freight Movement use category and is being proposed as a permitted nonresidential use in LI, Light Industrial; and GI, General Industrial, districts and the SB, Secondary Business, district. These districts already allow for similar uses by other businesses. Therefore, allowing cannabis business establishments here should not have a major impact to the nature of the districts.

The designations of ‘Cannabis Processing Organization’, ‘Cannabis Infuser Organization’, and ‘Cannabis Transporting Organization’ as specific uses recognize their legitimacy within state law and City Code. Allowing for these uses in their distinct zones and use categories will make explicitly clear that those uses are permitted for both those seeking to establish these businesses and for City staff as they work to uphold the intent of the Carbondale Revised Code. It is then also important to define these terms within the *General Definitions* section, as shown in Exhibit B.

The Illinois Cannabis Regulation and Tax Act Bill is the primary source of the regulation of recreational cannabis cultivation and distribution. Issues such as cultivation enclosure, public view of plants, etc., are covered by the state’s bill and need no mention in the City’s Revised Code. Carbondale’s Planning Department and Planning Commission’s sole responsibility here is to expressly permit these uses in the districts they deem appropriate. The proposed zoning regulation is intended to be carried out alongside the state law.

PART C. RECOMMENDATION

Due to the analysis presented above, staff recommends approval of the proposed text amendment for PC 22-02.

Exhibit A

§2.28 PERMITTED AND SPECIAL USES, RESIDENTIAL AND RURAL DISTRICTS TITLE 15. ARTICLE 2. DISTRICT REGULATIONS

RESIDENTIAL DISTRICTS USE TABLE											
USE CATEGORIES	SPECIFIC USE TYPES	F	AG	RR	R-1	R-1-D	R-2	R-3	PUD	RMH	USE STANDARD
Retail sales and service, personal service-oriented (See §3.1.9.F)	Kennel		P	S							
	Funeral homes without crematorium						S	S			
	Funeral homes with crematorium						S	S			
	Veterinary clinics		P								
	Laundromat									P	
Retail sales and service, repair-oriented (See §3.1.9.F)	All retail sales and service, repair-oriented		S								§3.3.1.O
Self-service storage (See §3.1.9.G)	Mini-warehouse							S			§3.3.1.S
INDUSTRIAL USES											
Light industrial service (See §3.1.10.A)	Contract construction services		S								§3.3.1.H
	<u>Cannabis Infusion Organization</u>		S								
	<u>Cannabis Cultivation Center</u>		S								
Warehouse and freight movement (See §3.1.10.B)	Commercial agricultural storage operation		S								
	<u>Cannabis Transporting Organization</u>		S								
Waste-related service (See §3.1.10.C)	Sanitary landfill or other qualified solid waste disposal system		S								
	Junk yard or auto wrecking yard, or storage										
Wholesale trade (See §3.1.10.D)	All wholesale trade		S								§3.3.1.O
RURAL USES											
Agriculture (See §3.1.11.A)	Cannabis craft grower		P								
	Cannabis cultivation center		P								
	Raising, breeding, training, and boarding of animals		P								
	Raising, breeding, training, and boarding of animals for personal use		P	P							
	Agricultural Production		P	P							
	All other agriculture		P								
Resource extraction (See §3.1.11.B)	Mining operation, including, but not limited to: coal, oil, gas, rock, gravel, sand and the storing and sale of such materials with the exception of hydraulic fracturing		S ⁶								
OTHER USES											
Vehicles and access	Motorized recreational vehicle uses; for commercial purposes		S								
	Private access roads or streets to or from a permitted use in an adjoining zoning district		S	S	S	S	S	S	S	S	§3.3.1.V
Accessory uses	Home occupations		P	S	S	S	S	S	S	S	§3.4.2.B
	Vacation Rental Units		P	P	P	P	P	P	P	P	§3.4.2.C

NONRESIDENTIAL DISTRICTS USE TABLE													
USE CATEGORIES	USE TYPES	NB	PAR	PA	SB	BPL	BWA	BPR	LI	GI	PAD	USE STANDARD	
	Industrial Uses												
Light industrial service (See §3.1.10.E)	Building services, including janitorial, exterminating, general maintenance						P		P	P	P		
	Contractors, general and specialty, without outdoor storage	P ⁸					P		P	P	P		
	Contractors, general and specialty, with outdoor storage						P		P	P	P		
	Concrete services						P		P	P	P		
	Coating engraving and allied services						P		P	P	P		
	Drugs, chemicals and allied products								P	P	P		
	Laboratories, including film processing								P	P	P		
	Laundering, dry cleaning and dyeing plants						P		P	P	P		
	Linen supply and industrial laundry services	S					P		P	P	P		
	Manufacturing, fabricating, processing, or assembling of products or materials								P	P	P		
	Low-Impact Manufacturing	P					P		P	P	P		
	Newspaper distribution services				P		P				P		
	Research, development and/or testing services	S		P ⁴	P ⁴		P		P	P	P		
	Transportation equipment								P	P	P		
	Other special construction trade, NEC						P		P	P	P		
	<u>Cannabis Infusion Organization</u>				S				P	P			
	<u>Cannabis Processor Organization</u>				S				P				
Heavy industrial (See §3.1.10.F)	Acid manufacturing									S			
	Ammunition manufacturing									S			
	Blast furnace, steelworks, or the rolling and finishing of ferrous metals									S			
	Glue manufacturing									P			
	Iron and steel foundry									S			
	Meatpacking plant or slaughterhouse									S			
	Nonferrous metal foundry									S			
	Smelting and refining of nonferrous metals									S			
	Stockyards or livestock sales barns									S			
	Tannery									S			
	Wood preserving operation								S	S			
	Warehouse and freight movement (See §3.1.10.B)	Equipment rental and leasing services				S		P		P	P	P	
Farm products warehousing		S			S ⁴		P		P	P	P		
Food lockers (with or without food preparation facilities)							P		P	P	P		
Freight forwarding service							P		P	P	P		
General warehousing and storage		S			S ⁴		P		P	P	P		
Parcel services					P						P		
Railroad and motor freight salvage							P		P	P			
Refrigerated warehousing (except food lockers)							P		P	P	P		
<u>Cannabis Transporting Organization</u>					S				P	P			
Waste-related service (See §3.1.10.C)	Junkyard or auto wrecking yard, or storage								S	S		§3.3.1.R	

Exhibit B

§11.4 GENERAL DEFINITIONS TITLE 15. ARTICLE 11. DEFINITIONS AND INTERPRETATIONS

regulations a business development must include lots that do not have frontage on a state or federal highway and the business development shall be limited to one freestanding sign.

CABIN: A facility that is leased on a temporary basis for recreational purposes which may be fully plumbed, served with electrical power, and/or contain a kitchen and bathroom. This may also include a lodge or similar type of facility.

CANNABIS BUSINESS ESTABLISHMENT: A cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization, or transporting organization.

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.

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.

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 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.

CANNABIS INFUSER ORGANIZATION: a facility operated by an organization or business that is licensed by the 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.

CANNABIS PROCESSING ORGANIZATION: a facility operated by an organization or business that is licensed by the 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.

CANNABIS TRANSPORTING ORGANIZATION: an organization or business that is licensed by the Department of Agriculture to transport cannabis or cannabis-infused product 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.

CAREGIVER: A person, whether paid or unpaid, who provides a senior citizen with live-in assistance in meeting daily living needs.

CELLAR: That portion of a building partially underground, but having half or more of its clear floor-to-ceiling height below grade (see definition of Basement).