

ORDINANCE NO. 20-O-64

*An Ordinance Amending Various Sections of the
City of Woodstock, Illinois Unified Development Ordinance Relating to
Recreational Cannabis and Parking Requirements*

WHEREAS, the City of Woodstock, McHenry County, Illinois, (the “City”), is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City’s home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the City has petitioned for Text Amendments to various sections of the Woodstock Unified Development Ordinance Relating to Recreational Cannabis and Parking Requirements; and

WHEREAS, on July 23, 2020 and after due notice in the manner provided by law, the Plan Commission conducted a public hearing on the requested Text Amendments; and

WHEREAS, at the conclusion of said public hearing, the Plan Commission voted unanimously (8 – 0 vote) to recommend that the requested Text Amendments be approved; and

WHEREAS, the Mayor and City Council have considered the findings and recommendation of the Plan Commission and concur with said recommendation.

BE IT ORDAINED by the CITY COUNCIL of the CITY OF WOODSTOCK, McHenry County, Illinois, as follows:

SECTION 1: That Section 7.B.2.10, Cannabis Business Establishments, of Chapter 7B, Use Standards, of the Woodstock Unified Development Ordinance shall be and hereby is amended to add, amend or delete the following:

A. All Cannabis Business Establishments shall comply with the regulations provided in the Cannabis Regulation and Tax Act (PA. 101-0027) (the "Act"), as it may be amended from time-to-time, and regulations promulgated thereunder. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply. Cannabis Business Establishments shall not conduct any sales or distribution of cannabis other than as authorized by the Act. A Cannabis Business Establishment shall not be located in a dwelling unit.

The following additional standards shall apply:

1. ~~No more than two (2) Cannabis Business Establishments of each type as defined herein shall be allowed within the Corporate Limits of the City.~~
2. Cannabis Dispensing Organizations:
 - a) No more than two (2) Cannabis Dispensing Organizations as defined herein shall be allowed within the Corporate Limits of the City.
 - b) Shall not be located within ~~1,000~~ 500 feet of the property line of a preexisting 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 ~~or public or private park.~~
 - c) At least 75% of the floor area of any tenant space occupied by a dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Act. Cannabis products shall only be sold at retail at an approved Dispensing Organization and shall not be consumed on the premises.
 - d) Cannabis Dispensing Organizations shall not sell food for consumption on the premises.
- 2.3. ~~Cannabis Craft Growers or Cannabis Cultivation Centers:~~ Shall not be located within 2,500 feet of the property line of a preexisting 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 public or private park or an area zoned for residential use.
4. ~~Cannabis Infuser Organizations or Infusers and Cannabis Processing Organizations or Processors:~~
 - a) ~~Shall not be located within 2,500 feet of the property line of a preexisting 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 public or private park or an area zoned for residential use.~~
 - b) ~~At least 75% of the floor area of any tenant space occupied by an infuser or processing organization shall be devoted to the activities of the infuser or processing organization, as authorized by the Act.~~

5. ~~Cannabis Transporting Organizations or Transporters~~

- a) ~~Shall not be located within 2,500 feet of the property line of a preexisting 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 public or private park or an area zoned for residential use.~~
- b) ~~The transporting organization shall be the sole use of the tenant space in which it is located.~~

B. A description of all building enhancements, such as security cameras, lighting or other improvements to ensure the safety of employees and customers of the Cannabis Business Establishments, as well as its environs, along with the anticipated hours of operation shall be provided. Said information will be evaluated for each individual site where a Cannabis Business Establishment is proposed and will be evaluated as part of the Special Use Permit process.

SECTION 2: That Table 9.1, Minimum Parking Requirements by Use, of Section 9.8, Schedule of Parking Requirements, of Chapter 9, Parking and Loading Requirements shall be and hereby is amended to include the following:

Cannabis Dispensing Organizations: 4 spaces per 1,000 sf.

Cannabis Craft Growers, Cultivation Centers, Processors and Infusers: 1 space per 1,000 sf.

Cannabis Transporters: As determined during the Special Use Permit Process.

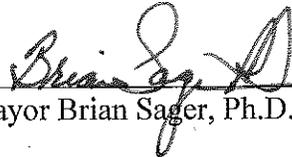
SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be known as Ordinance 20-O-64 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Ayes: Flynn, Lohmeyer, Piersall, Prindiville, Tebo, Mayor Sager
Nays:
Abstentions:
Absentees: Turner

APPROVED:



Mayor Brian Sager, Ph.D.

(SEAL)
ATTEST: Cindy Smiley
City Clerk Cindy Smiley

By Chief Deputy City Clerk Janet Howie

Passed: 8/18/20

Approved: 8/19/20

Published: 8/19/20

CERTIFICATION

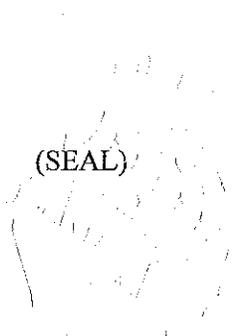
I, CINDY SMILEY, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Woodstock, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Council members of said City.

I do hereby further certify that at a regular meeting of the Woodstock City Council, held on the 18th day of August, 2020, the foregoing Ordinance entitled *An Ordinance Amending Various Sections of the City of Woodstock, Illinois Unified Development Ordinance Relating to Recreational Cannabis and Parking Requirements*, was duly passed by said City Council.

The pamphlet form of Ordinance No. 20-O-64, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 19th day of August, 2020, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and corporate seal of the City of Woodstock this 19th day of August, 2020.


Cindy Smiley
Cindy Smiley, Clerk
City of Woodstock,
McHenry County, Illinois

By Chief Deputy City Clerk Jane Howie

ORDINANCE NO. 20-O-64

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE
CITY OF WOODSTOCK, ILLINOIS UNIFIED DEVELOPMENT ORDINANCE
RELATING TO RECREATIONAL CANNABIS AND PARKING
REQUIREMENTS**

**ORDINANCE PASSED BY THE
MAYOR AND CITY COUNCIL
OF THE CITY OF WOODSTOCK**

AT THEIR REGULAR MEETING ON AUGUST 18, 2020

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF

THE CITY COUNCIL

OF THE

CITY OF WOODSTOCK

Mayor:

Brian Sager

City Council:

**Darrin Flynn
Lisa Lohmeyer
Wendy Piersall
James Prindiville
Gordon Tebo
Michael Turner**

Clerk:

Cindy Smiley