

MINUTES OF A SPECIAL MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: June 11, 2020

TIME: 7:00 P.M.

PLACE: Zoom

MEMBERS ATTENDING

REMOTELY: Dustin Allred, Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins, Chenxi Yu

MEMBERS ABSENT: Jonah Weisskopf

STAFF PRESENT: **City of Urbana (Host);** Kevin Garcia, Planner II; Katherine Trotter, Planner I

OTHERS ATTENDING

REMOTELY: John Hall

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Fitch called the meeting to order at 7:00 p.m. Roll call was taken, and there was a quorum.

2. COMMUNICATIONS

There were none.

3. NEW BUSINESS

CCZBA-972-AT-20: A request by the Champaign County Zoning Administrator to add definitions and requirements for specified adult-use cannabis businesses only within 1.5 miles of a home-rule municipality with more than 20,000 population to three sections of the Champaign County Zoning Ordinance.

CCZBA-973-AT-20: A request by the Champaign County Zoning Administrator to add definitions and requirements for specified adult-use cannabis businesses only within 1.5 miles of a home-rule municipality with more than 20,000 population, except within 1.5 miles of smaller municipalities and residential districts to three sections of the Champaign County Zoning Ordinance.

Chair Fitch opened the two cases together because they related to the same topic. Kevin Garcia, Planner II, presented the staff report for the two cases. He began by stating that on June 4, 2020, the Champaign County Environmental Land Use Committee (ELUC) did not recommend Case No. CCZBA-972-AT-20 to the Champaign County Board, so the case died. Therefore, the Plan Commission should only consider Case No. CCZBA-973-AT-20 at this meeting.

Mr. Garcia noted that John Hall, Champaign County Zoning Administrator, was present at the meeting to address any questions or concerns that the Plan Commission may have. He went on to discuss the purpose for the proposed County text amendment and presented City staff's analysis. He gave a brief background on recent cannabis regulations and noted the County's timeline for processing this case on Page 3 of the written staff report dated June 5, 2020.

Mr. Garcia stated that the text amendment is broken up into three parts. Part A adds definitions for the six uses which mirror the State of Illinois' and the City of Urbana's regulations. Part B adds requirements for adult use cannabis businesses within 1.5 miles of a home rule municipality with more than 20,000 population. Part C adds requirements to areas that are outside of Champaign and Urbana's extra-territorial jurisdiction (ETJ) areas. He talked about the distance separation and other additional requirements that were being proposed by Champaign County. He mentioned that City staff compared the proposed text amendment and permitted use maps to the City's cannabis regulations and permitted use maps, and City staff did not anticipate any negative impacts to the City's ability to plan or manage growth or development from the proposed text amendment. The City would be notified of any cannabis special use permit applications and could review those applications and submit comments to the Champaign County Zoning Board of Appeals prior to their decision. Also, any new cannabis use, which requires a tap into the Urbana-Champaign Sanitary District's sanitary infrastructure would be required to enter into an Annexation Agreement with the City. He discussed how the proposed County text amendment relates to the goals and objectives in the City's 2005 Comprehensive Plan. He reviewed the options of the Plan Commission and presented City staff's recommendation *to defeat a resolution of protest*.

Chair Fitch asked if any members of the Plan Commission had questions for City staff.

Mr. Fell inquired what specific uses would require a separation distance and why. Mr. Garcia replied that certain like uses could not be located near each other, such as dispensaries near other dispensaries. However, compatible uses could be located near each other. Mr. Hall added that the only separation requirements in the proposed text amendment are those required by the State of Illinois, which include dispensaries not being located near other dispensaries and cultivation centers not being located near other cultivation centers. The reason there is a separation requirement from specified schools is because the City of Urbana requires it. The Champaign County Board directed County staff to follow separation requirements from the home rule municipalities. They did not add any separation rules that are not already part of the State of Illinois' or the City of Urbana's rules.

Mr. Hopkins inquired what affect the City's comments would have on a special use permit application for a cannabis use. Mr. Garcia believed that the Champaign County Zoning Board of Appeals would take the City's comments into consideration, but that it would not require a super majority vote such as with a text or map amendment. Mr. Hall confirmed this.

Mr. Hopkins asked what would prompt the need for an annexation agreement. Mr. Garcia replied that the City’s Subdivision and Land Development Code requires any development with 250 feet of the existing sanitary infrastructure to tap into that infrastructure, which triggers an annexation agreement requirement with the City of Urbana. Mr. Hopkins stated that it did not appear to him that the two mitigating items are very strong. It may not matter if the City is not concerned about the implications, but he was skeptical of the notion that either of these are a strong deterrent.

Mr. Allred asked what would be the alternative approach to controlling incompatible uses from occurring. Did the City pass a buffer on residential uses? Mr. Garcia stated that a special use permit is required to establish a cannabis cultivation center or craft grower on a parcel whose property line is within 300 feet of any residentially zoned lot in the City of Urbana, City of Champaign or Champaign County or in the B-3U (General Business-University) or MOR (Mixed Office Residential) Zoning Districts. Mr. Hall confirmed that these requirements were added to the proposed text amendment.

Chair Fitch closed the public input and opened the hearing for Plan Commission discussion and/or motion(s).

Mr. Hopkins moved that the Plan Commission forward Case No. CCZBA-973-AT-20 to the City Council with a recommendation for to defeat a resolution of protest. Mr. Fell seconded the motion.

Roll call on the motion was as follows:

Mr. Allred	-	Yes	Ms. Billman	-	Yes
Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Ms. Yu	-	Yes

The motion passed by unanimous vote.

Mr. Garcia noted that this case would be forwarded to the City Council on Monday, June 15, 2020.

4. AUDIENCE PARTICIPATION

There was none.

5. ADJOURNMENT OF MEETING

The meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Kevin Garcia, Secretary
Urbana Plan Commission