

---

**KENDALL COUNTY**  
**PLANNING, BUILDING & ZONING COMMITTEE MEETING**  
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560  
(630) 553-4141 Fax (630) 553-4179  
**SPECIAL AGENDA**

---

Tuesday, September 10, 2019 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Scott Gengler, Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

APPROVAL OF AGENDA:

PUBLIC COMMENT:

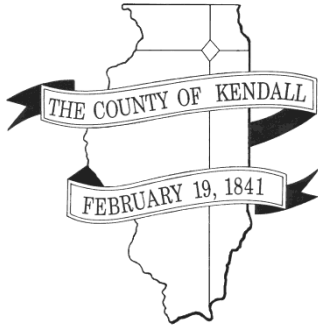
NEW/OLD BUSINESS:

1. Discussion and Possible Amendment to Petition 19-31-Request from the Kendall County Planning, Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Recreational and Medical Cannabis Uses

COMMENTS FROM THE PRESS:

ADJOURNMENT:

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.



---

## DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

### MEMORANDUM

---

To: Kendall County Planning, Building and Zoning Committee  
From: Matthew H. Asselmeier, AICP, Senior Planner  
Date: September 5, 2019  
Re: Petition 19-31-Request by the Kendall County Planning, Building and Zoning Committee for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Recreational and Medical Cannabis Uses

---

On June 25, 2019, the Governor signed the Cannabis Regulation and Tax Act (Public Act 101-027). This Act legalized certain recreational cannabis uses and allowed County to enact reasonable zoning regulations related to these uses.

On August 9, 2019, the Governor signed an Act related to Banking-Cannabis Businesses (Public Act 101-363). Among other actions, this Act amended the Compassionate Use of Medical Cannabis Pilot Program Act by removing the expiration deadline of medical cannabis related uses and changing the location where medical cannabis dispensary may locate.

On August 26, 2019, the Kendall County Planning, Building and Zoning Committee voted to initiate text amendments to the Kendall County Zoning Ordinance pertaining to medical and recreational cannabis uses. The Committee wanted medical cannabis related use to be regulated similarly as recreational cannabis uses from a zoning perspective. The Committee also wanted to have these regulations in place by January 1, 2020.

Attached please find the proposed changes to the Kendall County Zoning Ordinance with changes proposed by ZPAC. In summary the changes are as follows:

1. The previously adopted zoning regulations for medical cannabis uses are repealed in their entirety.
2. Definitions of Adult-Use Cannabis Business Establishment, Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization or Infuser, Adult-Use Cannabis Processing Organization or Processor, Adult-Use Cannabis Transporting Organization or Transporter, Medical Cannabis Cultivation Center or Cultivation Center, and Medical Cannabis Dispensing Organization or Dispensing Organization or Dispensary were added to the Zoning Ordinance. These definitions come from the Cannabis Regulation and Tax Act and the Compassionate Use of Medical Cannabis Program Act.
3. Adult-Use Cannabis Craft Growers are proposed to be special uses in the A-1, M-1, M-2 Zoning Districts. They are to be at minimum one thousand feet (1,000') from the property lines of pre-existing public or private nursery schools, preschools, primary or secondary schools, day care centers, day care homes, residential care homes, pre-existing properties zoned or used for residential purposes, pre-existing forest preserves, public parks, and places of worship. This distance requirement is the same distance requirement for outdoor shooting ranges.
4. Adult-Use Cannabis Cultivation Centers and Medical Cannabis Cultivation Centers are proposed to be special uses in the M-1 and M-2 Zoning Districts and will be minimum two thousand five hundred feet (2,500') from the protected uses listed in number 3 previously.

Medical Cannabis Cultivation Centers are currently special uses in the M-1 and M-2 Zoning Districts. The distance requirement was set by the Compassionate Use of Medical Cannabis Program Act.

5. Adult-Use Cannabis Dispensing Organizations and Medical Dispensing Organizations are proposed to be special use in the B-3, M-1, and M-2 Zoning Districts and will be at least one thousand feet (1,000') from the uses listed in number 3 previously except pre-existing properties used or zoned residentially. They can be at minimum two hundred fifty feet (250') from residentially used or zoned property. Public Act 101-363 removed the distance requirements for Medical Dispensing Organizations. Onsite consumption of cannabis by the public is not allowed. Hours of operation will be from 6:00 a.m. until 8:00 p.m.
6. Adult-Use Cannabis Infuser Organizations are proposed to be special use in the B-3, M-1, and M-2 Zoning Districts and will be at least one thousand five hundred feet (1,500') from the uses listed in number 3 previously except pre-existing properties used or zoned residentially. They can be at minimum two hundred fifty feet (250') from residentially used or zoned property.
7. Adult-Use Cannabis Processing Organizations are proposed to be special use in the B-3, M-1, and M-2 Zoning Districts and will be at least one thousand five hundred feet (1,500') from the uses listed in number 3 previously except pre-existing properties used or zoned residentially. They can be at minimum two hundred fifty feet (250') from residentially used or zoned property.
8. Adult-Use Cannabis Transporting Organizations are proposed to be special use in the M-1 and M-2 Zoning Districts and will be at least one thousand five hundred feet (1,500') from the uses listed in number 3 previously except pre-existing properties used or zoned residentially. They can be at minimum two hundred fifty feet (250') from residentially used or zoned property. They can only transport cannabis unless allowed by the special use permit.
9. The proposal updates Appendix 9 to reflect the addition of cannabis related uses and correct citation errors caused by adding these uses to the Zoning Ordinance.

At least one (1) Planning, Building and Zoning Committee member favored having cannabis uses in stand-alone buildings.

Maps showing the potential location of cannabis uses are attached.

Townships were notified of this proposal and September 10<sup>th</sup> meeting on August 28, 2019.

ZPAC met on this proposal on September 3, 2019. ZPAC issued a neutral recommendation and requested that information regarding surveillance, security, and security related structural requirements be added to the proposed amendment. ZPAC also requested that cannabis uses not be allowed in the B-3 District. The vote was five (5) in favor and one (1) in opposition. Fran Klaas said the County should not create zoning regulations for cannabis because it is illegal federally.

The zoning related proposal is separate from the County's consideration of opting out of allowing recreational cannabis uses.

If you have any questions, please let me know.

MHA

ENCs.: Proposal (With ZPAC's Comments)  
Maps



Cannabis Related Proposal  
(ZPAC Comments in Blue-ZPAC Opposed Cannabis Uses in the B-3)

1. Ordinances 2014-28 (Medical Cannabis Cultivation Centers), 2014-31 (Medical Cannabis Dispensing Organizations) and 2017-28 (Expiration Timeline for Medical Cannabis Related Uses Extended to July 1, 2020) are repealed in their entirety.
2. Section 3.02 of the Kendall County Zoning Ordinance is Amended by Adding the Following Terms in the Appropriate Places Alphabetically:

**ADULT-USE CANNABIS BUSINESS ESTABLISHMENT.** An adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

**ADULT-USE 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, as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE 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, as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE 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 from licensed 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, as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS INFUSER ORGANIZATION OR INFUSER.** A facility operated by an organization or business that is licensed by the Illinois 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, as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS PROCESSING ORGANIZATION OR PROCESSOR.** A facility operated by an organization or business that is licensed by the Illinois 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, as it may be amended from time-to-time, and regulations promulgated thereunder.

**ADULT-USE CANNABIS TRANSPORTING ORGANIZATION OR TRANSPORTER.** An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis 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, as it may be amended from time-to-time, and regulations promulgated thereunder.”

**MEDICAL CANNABIS CULTIVATION CENTER or CULTIVATION CENTER.** A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. This definition is intended to remain consistent with the definition provided in 410 ILCS 130/10, as amended. In the event of a conflict between this definition and the statute, the definition from State law shall govern.

**MEDICAL CANNABIS DISPENSING ORGANIZATION or DISPENSING ORGANIZATION or DISPENSARY.** A facility operated by an organization or business that is registered by the 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. This definition is intended to remain consistent with the definition provided in 410 ILCS 130/10, as amended. In the event of a conflict between this definition and the statute, the definition from State law shall govern.

- 3. Section 7.01.C (Special Uses in the A-1 District) and Section 10.01.C (Special Uses in the M-1 and M-2 Districts) are amended by adding the following:

Adult-Use Cannabis Craft Grower Subject to the Following Conditions:

- 1. Facility may not be located within one thousand feet (1,000’) of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
- 2. Facility may not be located within one thousand feet (1,000’) of the property line of a pre-existing property zoned or used for residential purposes, unless the residential use is owned by the same owner as the Adult-Use Cannabis Craft Grower.
- 3. Facility may not be located within one thousand feet (1,000’) of the property line of a pre-existing forest preserve, public park, or place of worship.
- 4. Adult-Use Cannabis Craft Growers may co-locate with Adult-Use Dispensing Organizations and Adult-Use Cannabis Infuser Organizations or both.
- 5. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
- 6. At the time of application, the Petitioner shall submit the following information:
  - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
  - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
  - c. Anticipated number of employees and customers.
  - d. Anticipated parking demand and available parking supply.
  - e. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
  - f. Site design, including access points and internal site circulation.
  - g. Proposed signage plan.

- h. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application
  - 7. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.
  - 8. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
  - 9. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply.
4. Section 10.01.C (Special Uses in the M-1 and M-2 Districts) is amended by adding the following: Adult-Use Cannabis Cultivation Centers Subject to the Following Conditions:
- 1. Facility may not be located within two thousand five hundred feet (2,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
  - 2. Facility may not be located within two thousand five hundred feet (2,500') of the property line of a pre-existing property zoned or used for residential purposes.
  - 3. Facility may not be located within two thousand five hundred feet (2,500') of the property line of a pre-existing forest preserve, public park, or place of worship.
  - 4. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
  - 5. At the time of application, the Petitioner shall submit the following information:
    - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
    - c. Anticipated number of employees and customers.
    - d. Anticipated parking demand and available parking supply.
    - e. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
    - f. Site design, including access points and internal site circulation.
    - g. Proposed signage plan.
    - h. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
  - 6. No outdoor storage is allowed.
  - 7. Electronic message boards and temporary signs are not allowed.
  - 8. Fences must be a minimum of eight feet (8') feet tall topped with barbed wire.
  - 9. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.
  - 10. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
  - 11. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply.

Medical Cannabis Cultivation Centers Subject to the Following Conditions:

1. Facility may not be located within two thousand five hundred feet (2,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
  2. Facility may not be located within two thousand five hundred feet (2,500') of the property line of a pre-existing property zoned or used for residential purposes.
  3. Facility may not be located within two thousand five hundred feet (2,500') of the property line of a pre-existing forest preserve, public park, or place of worship.
  4. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Compassionate Use of Medical Cannabis Program Act.
  5. At the time of application, the Petitioner shall submit the following information:
    - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
    - c. Anticipated number of employees and customers.
    - d. Anticipated parking demand and available parking supply.
    - e. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
    - f. Site design, including access points and internal site circulation.
    - g. Proposed signage plan.
    - h. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
  6. No outdoor storage is allowed.
  7. Electronic message boards and temporary signs are not allowed.
  8. Fences must be a minimum of eight feet (8') feet tall topped with barbed wire.
  9. [The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.](#)
  10. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
  11. In the event that the Compassionate Use of Medical Cannabis Program Act is amended, the more restrictive of the State or County Regulation shall apply.
5. Section 9.04.C (Special Uses in the B-3, M-1, and M-2 Districts) is amended by adding the following: Adult-Use Cannabis Dispensing Organization Subject to the Following Conditions:
1. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
  2. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes.
  3. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing forest preserve, public park, or place of worship.
  4. At least seventy-five percent (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 Cannabis Regulation and Tax Act and no dispensing organization shall also

sell food for consumption on the premises other than as authorized below in the same tenant space.

5. Onsite consumption of cannabis by the public shall not be allowed at Adult Use Cannabis Dispensing Organizations.
6. Adult-Use Cannabis Dispensing Organizations may co-locate with Adult-Use Craft Growers and Adult-Use Cannabis Infuser Organizations or both. In a co-location, the floor requirements listed above shall not apply, but the co-located establishments shall be the sole use of the tenant space.
7. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
8. At the time of application, the Petitioner shall submit the following information:
  - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
  - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
  - c. Hours of operation.
  - d. Anticipated number of employees and customers.
  - e. Anticipated parking demand and available parking supply.
  - f. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
  - g. Site design, including access points and internal site circulation.
  - h. Proposed signage plan.
  - i. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
9. No flashing lights, search lights, spot lights, or other similar lighting systems may be used on the exterior of the building.
10. Electronic message boards and temporary signs not allowed. Any additional merchandise packaging provided by a dispensary, such as bags, sacks, totes or boxes, shall be opaque and identify the name of the dispensing organization.
11. Hours of operation are 6:00 a.m. until 8:00 p.m.
12. [The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.](#)
13. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
14. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply.

Medical Cannabis Dispensing Organization Subject to the Following Conditions:

1. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
2. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes.
3. Facility may not be located within one thousand feet (1,000') of the property line of a pre-existing forest preserve, public park, or place of worship.
4. Onsite consumption of cannabis by the public shall not be allowed at Medical Cannabis

Dispensing Organizations.

5. Facility may not conduct any sales or distribution of cannabis other than as authorized by State law.
  6. At the time of application, the Petitioner shall submit the following information:
    - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
    - c. Hours of operation.
    - d. Anticipated number of employees and customers.
    - e. Anticipated parking demand and available parking supply.
    - f. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
    - g. Site design, including access points and internal site circulation.
    - h. Proposed signage plan.
    - i. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
  7. No flashing lights, search lights, spot lights, or other similar lighting systems may be used on the exterior of the building.
  8. Electronic message boards and temporary signs not allowed. Any additional merchandise packaging provided by a dispensary, such as bags, sacks, totes or boxes, shall be opaque and identify the name of the dispensing organization.
  9. Hours of operation are 6:00 a.m. until 8:00 p.m.
  10. [The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.](#)
  11. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
  12. In the event that the Compassionate Use of Medical Cannabis Program Act is amended, the more restrictive of the State or County Regulation shall apply.
6. Section 9.04.C (Special Uses in the B-3, M-1, and M-2 Districts) is amended by adding the following: Adult-Use Cannabis Infuser Organization Subject to the Following Conditions:
1. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
  2. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes.
  3. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing forest preserve, public park, or place of worship.
  4. At least seventy-five percent (75%) of the floor area of any tenant space occupied by an infusing organization shall be devoted to the activities of the infusing organization as authorized by the Cannabis Regulation and Tax Act.
  5. Adult-Use Cannabis Infuser Organizations may co-locate with Adult-Use Dispensing Organizations and Adult-Use Cannabis Craft Growers or both. In a co-location, the floor requirements listed above shall not apply, but the co-located establishments shall be the sole use of the tenant space.



6. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
  7. At the time of application, the Petitioner shall submit the following information:
    - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
    - c. Hours of operation.
    - d. Anticipated number of employees and customers.
    - e. Anticipated parking demand and available parking supply.
    - f. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
    - g. Site design, including access points and internal site circulation.
    - h. Proposed signage plan.
    - i. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
  8. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.
  9. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
  10. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply.
7. Section 9.04.C (Special Uses in the B-3, M-1, and M-2 Districts) is amended by adding the following: Adult-Use Cannabis Processing Organization Subject to the Following Conditions:
1. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
  2. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes.
  3. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing forest preserve, public park, or place of worship.
  4. At least seventy-five percent (75%) of the floor area of any tenant space occupied by a processing organization shall be devoted to the activities of the processing organization as authorized by the Cannabis Regulation and Tax Act.
  5. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
  6. At the time of application, the Petitioner shall submit the following information:
    - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
    - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), total square footage, security installations/security plan (including type of security system and plans to address operations when security and surveillance system malfunction) and building code compliance.
    - c. Hours of operation.

- d. Anticipated number of employees and customers.
  - e. Anticipated parking demand and available parking supply.
  - f. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
  - g. Site design, including access points and internal site circulation.
  - h. Proposed signage plan.
  - i. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
- 7. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.
  - 8. The Petitioner shall file an affidavit with the County affirming compliance with the regulations contained in the Kendall County Zoning Ordinance.
  - 9. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply.
- 8. Section 10.01.C (Special Uses in the M-1 and M-2 Districts) is amended by adding the following: Adult-Use Cannabis Transporting Organization Subject to the Following Conditions:
    - 1. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
    - 2. Facility may not be located in a dwelling unit or within two hundred fifty feet (250') of the property line of a pre-existing property zoned or used for residential purposes.
    - 3. Facility may not be located within one thousand five hundred feet (1,500') of the property line of a pre-existing forest preserve, public park, or place of worship.
    - 4. The transporting organization shall be the sole use of the tenant space in which it is located and shall not transport any other products beside cannabis, unless specifically allowed by the Special Use Permit.
    - 5. Facility may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
    - 6. At the time of application, the Petitioner shall submit the following information:
      - a. A statement regarding the impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.
      - b. Information on the proposed structure the facility will be located, including co-tenancy (if located in a multi-tenant building), (including type of security system and plans to address operations when security and surveillance system malfunction) total square footage, security installations/security plan and building code compliance.
      - c. Hours of operation.
      - d. Anticipated number of employees and customers.
      - e. Anticipated parking demand and available parking supply.
      - f. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
      - g. Site design, including access points and internal site circulation.
      - h. Proposed signage plan.
      - i. Other criteria as may be necessary to determine Findings of Fact of the Special Use Permit application.
    - 7. The Operator of the business allowed by the special use permit shall provide the Kendall County Sheriff's Office access to security system and security plans upon request by the Kendall County Sheriff's Office.
    - 8. The Petitioner shall file an affidavit with the County affirming compliance with the



regulations contained in the Kendall County Zoning Ordinance.

9. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the State or County Regulation shall apply.
9. Appendix 9-The Table of Uses is hereby amended to reflect the addition of these uses in the proper zoning districts.
10. Any reference citation errors created by the addition of these definitions and uses to the Zoning Ordinance shall be corrected.
11. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

# Zoning Map A1, A1-BP, A1-SU, A1-SU-PUD

## KENDALL COUNTY

- 2019 -

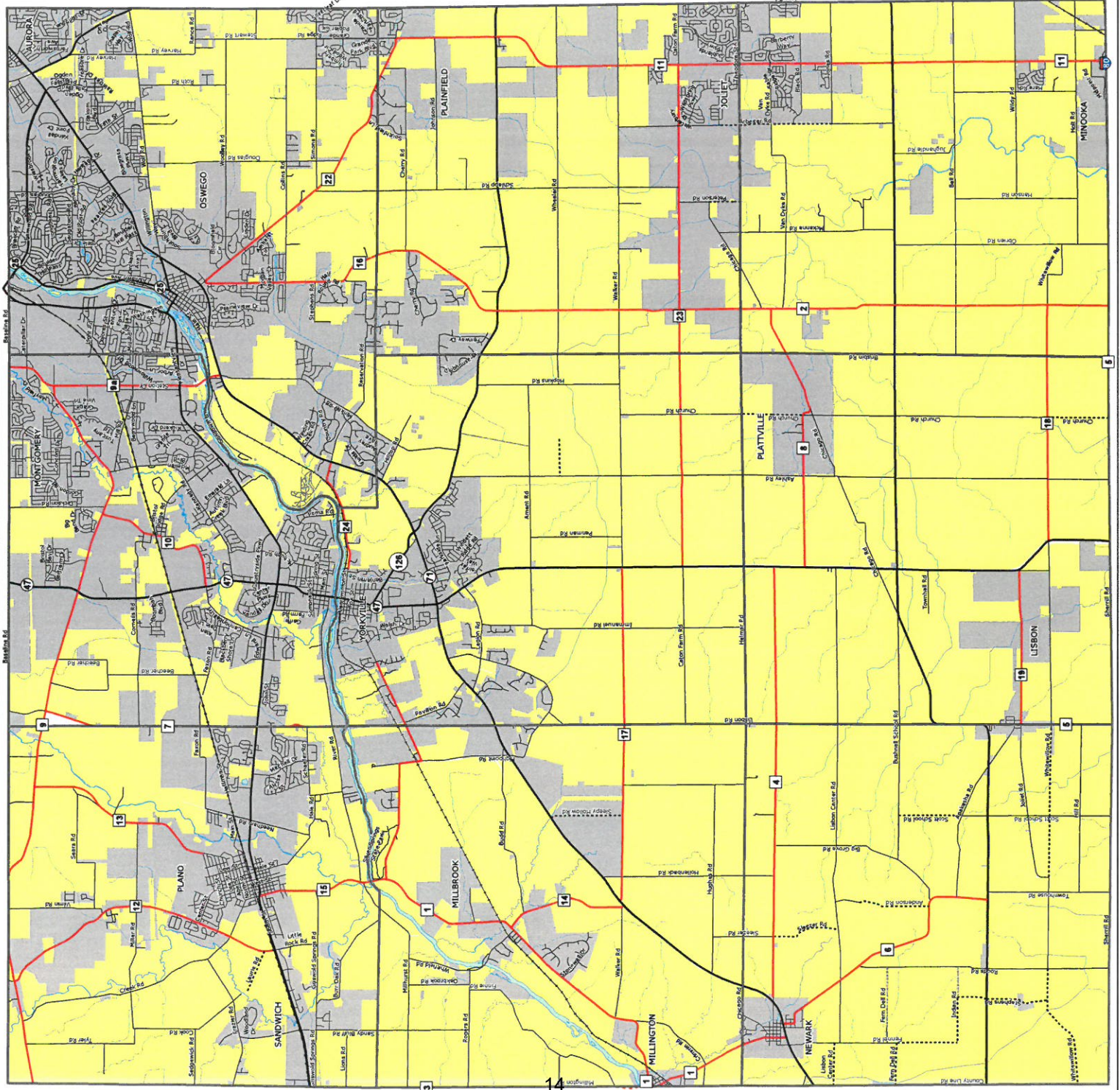
<http://gis.co.kendall.il.us>

### Legend

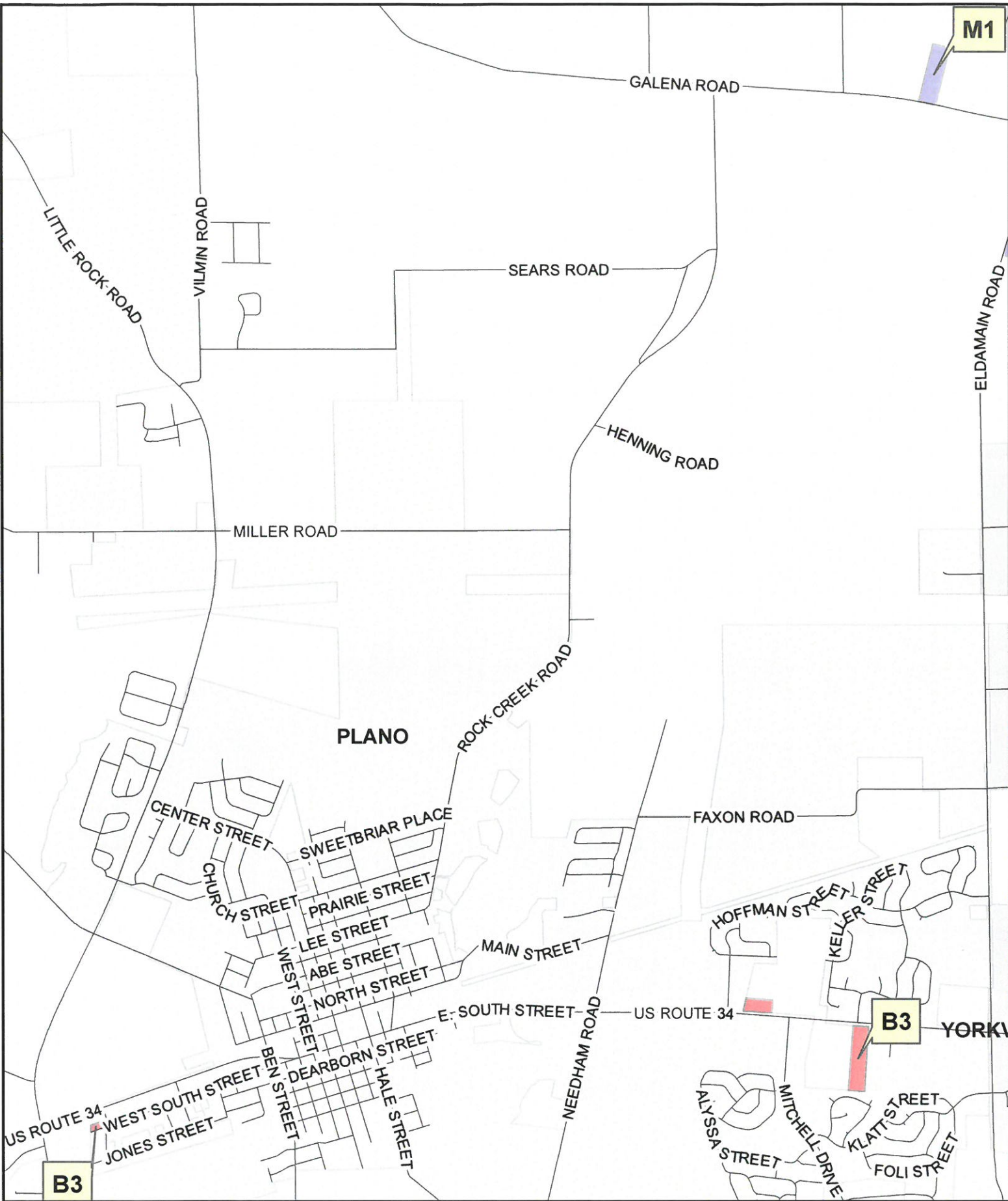
- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- A1, A1-BP, A1-SU, A1-SU-PUD
- All Other Zoning/Municipalities



Kendall County GIS  
111 West Fox Street - Room 303  
Yorkville, Illinois 60560-1409  
409.234.4111

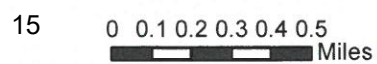




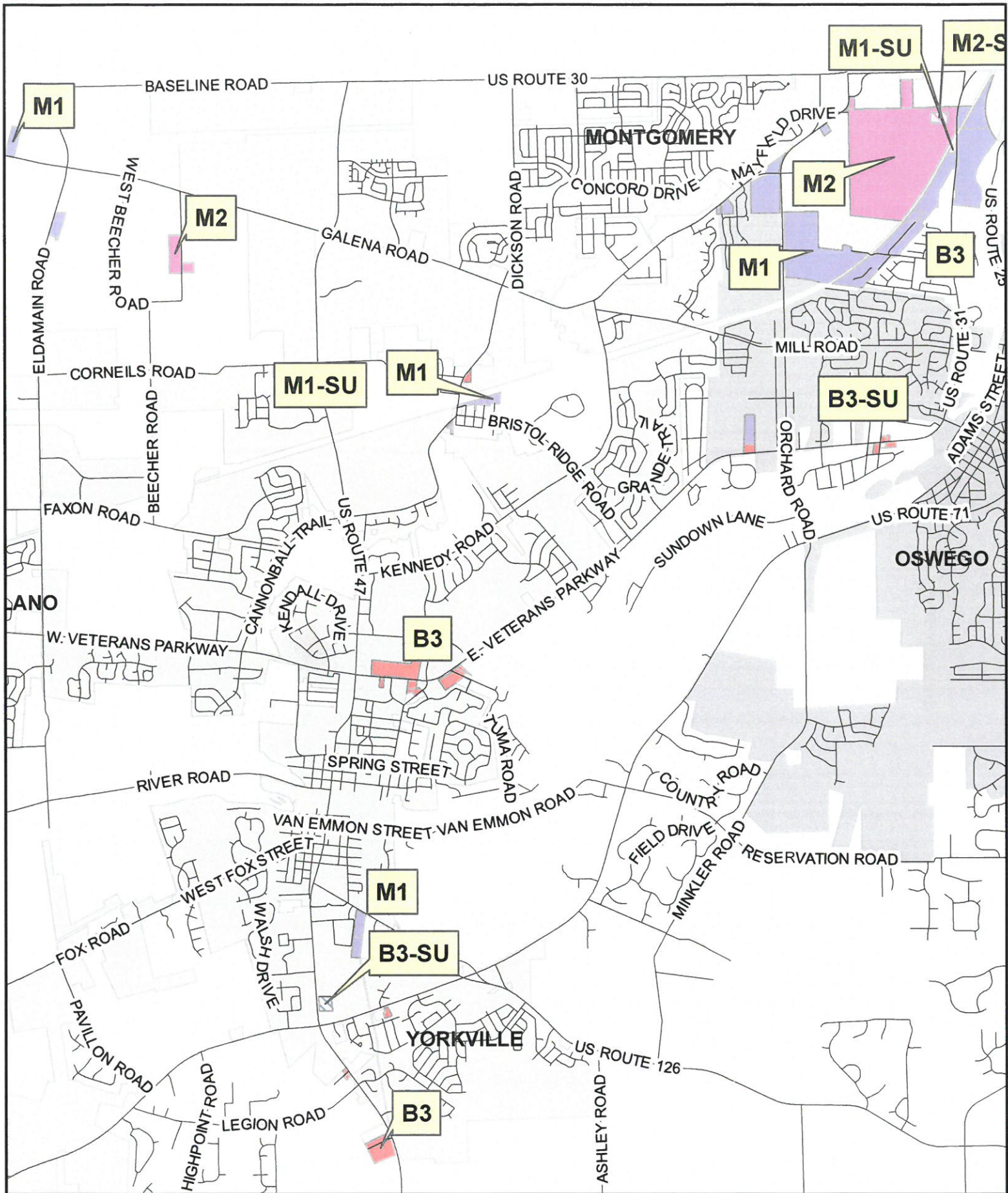


**Kendall County GIS**  
 111 West Fox Street - Room 308  
 Yorkville, Illinois 60560  
 630.553.4212

## Little Rock Township



Created: 7/24/2019



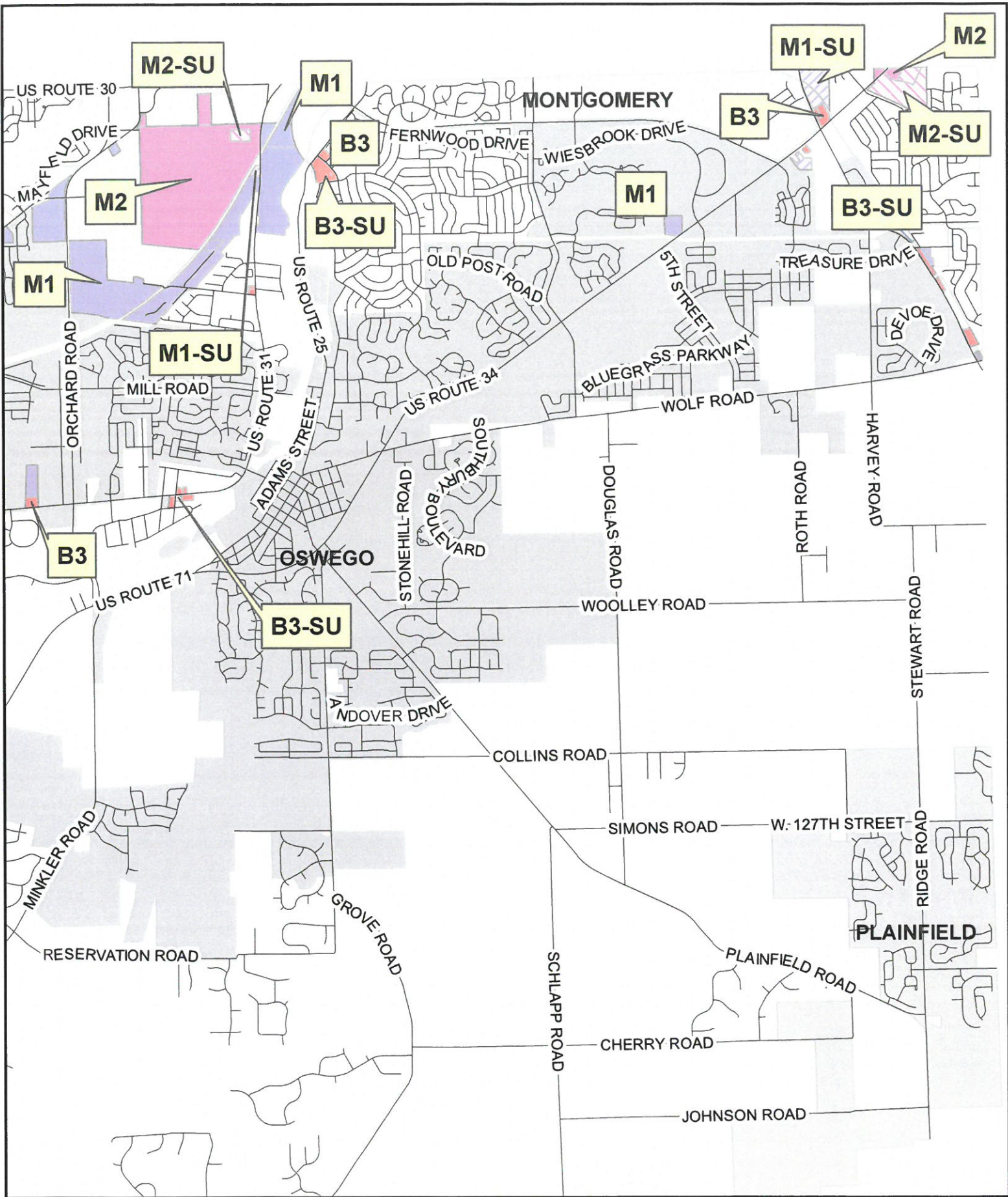
**Kendall County GIS**  
 111 West Fox Street - Room 308  
 Yorkville, Illinois 60560  
 630.553.4212

## Bristol Township



Created: 7/24/2019





**Kendall County GIS**  
 111 West Fox Street - Room 308  
 Yorkville, Illinois 60560  
 630.553.4212

## Oswego Township



Created: 7/24/2019



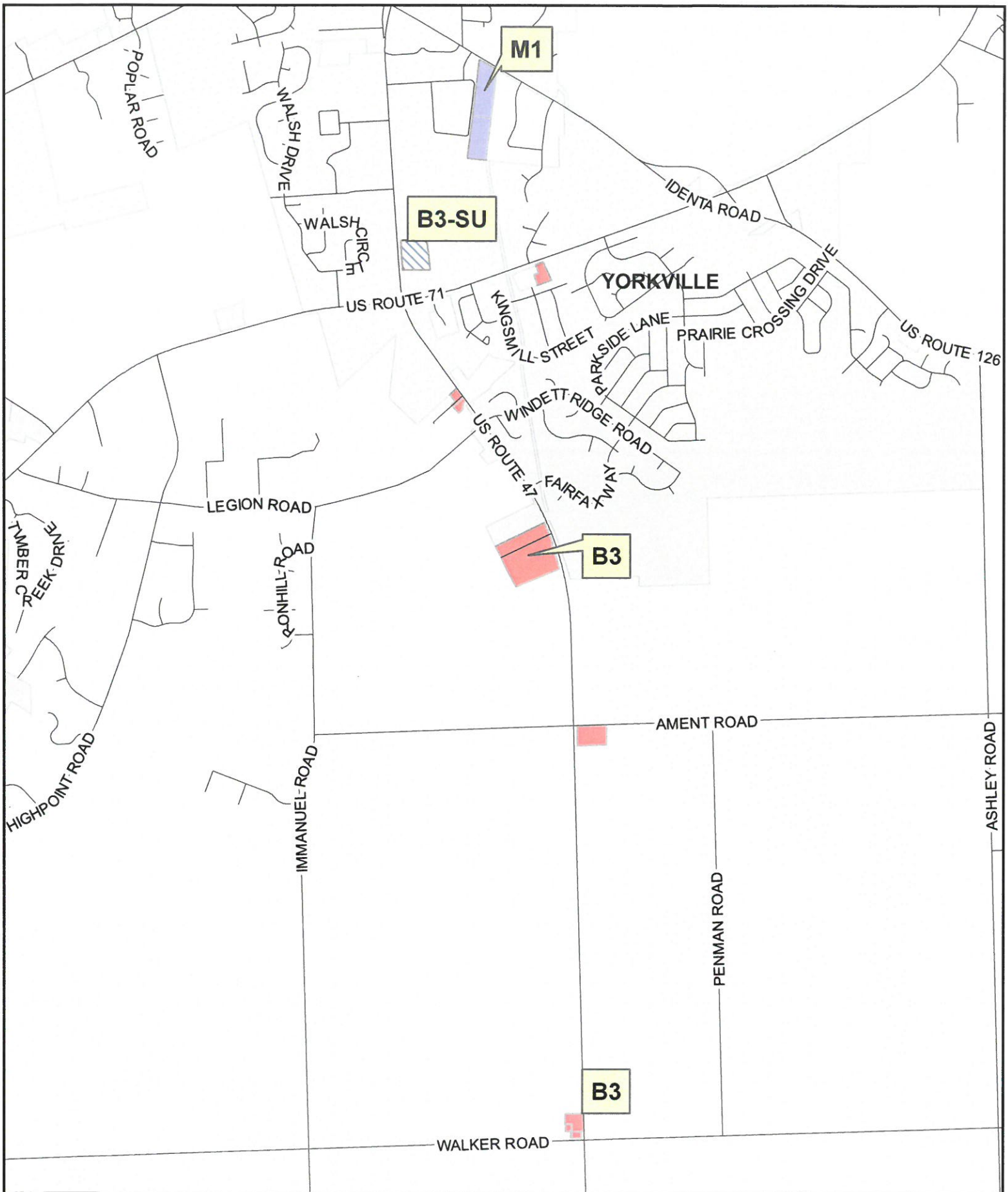
**Kendall County GIS**  
111 West Fox Street - Room 308  
Yorkville, Illinois 60560  
630.553.4212

### Fox Township



Created: 7/24/2019





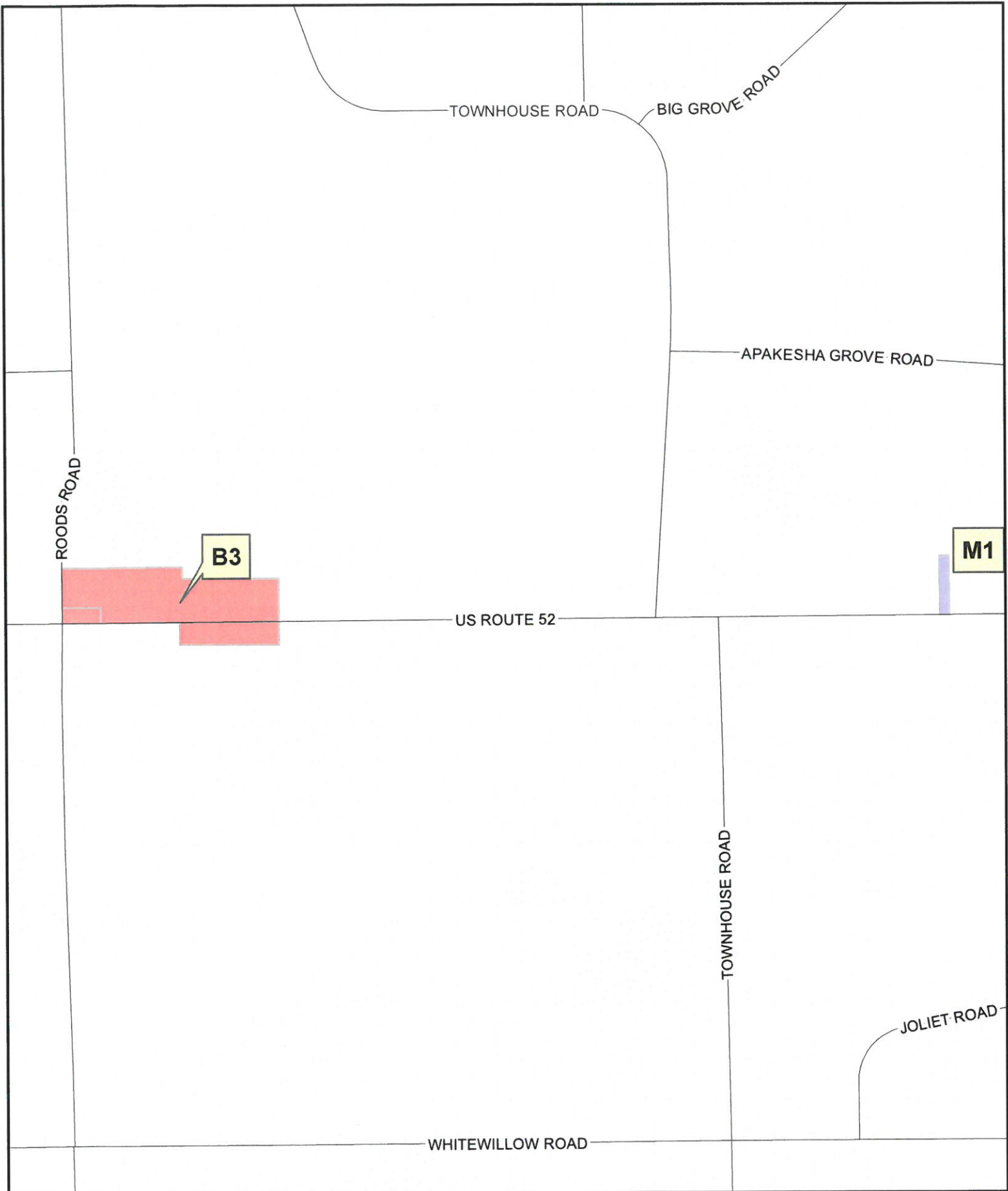
**Kendall County GIS**  
 111 West Fox Street - Room 308  
 Yorkville, Illinois 60560  
 630.553.4212

## Kendall Township

19 0 0.1 0.2 0.3 0.4 0.5  
 Miles

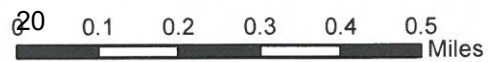


Created: 7/24/2019



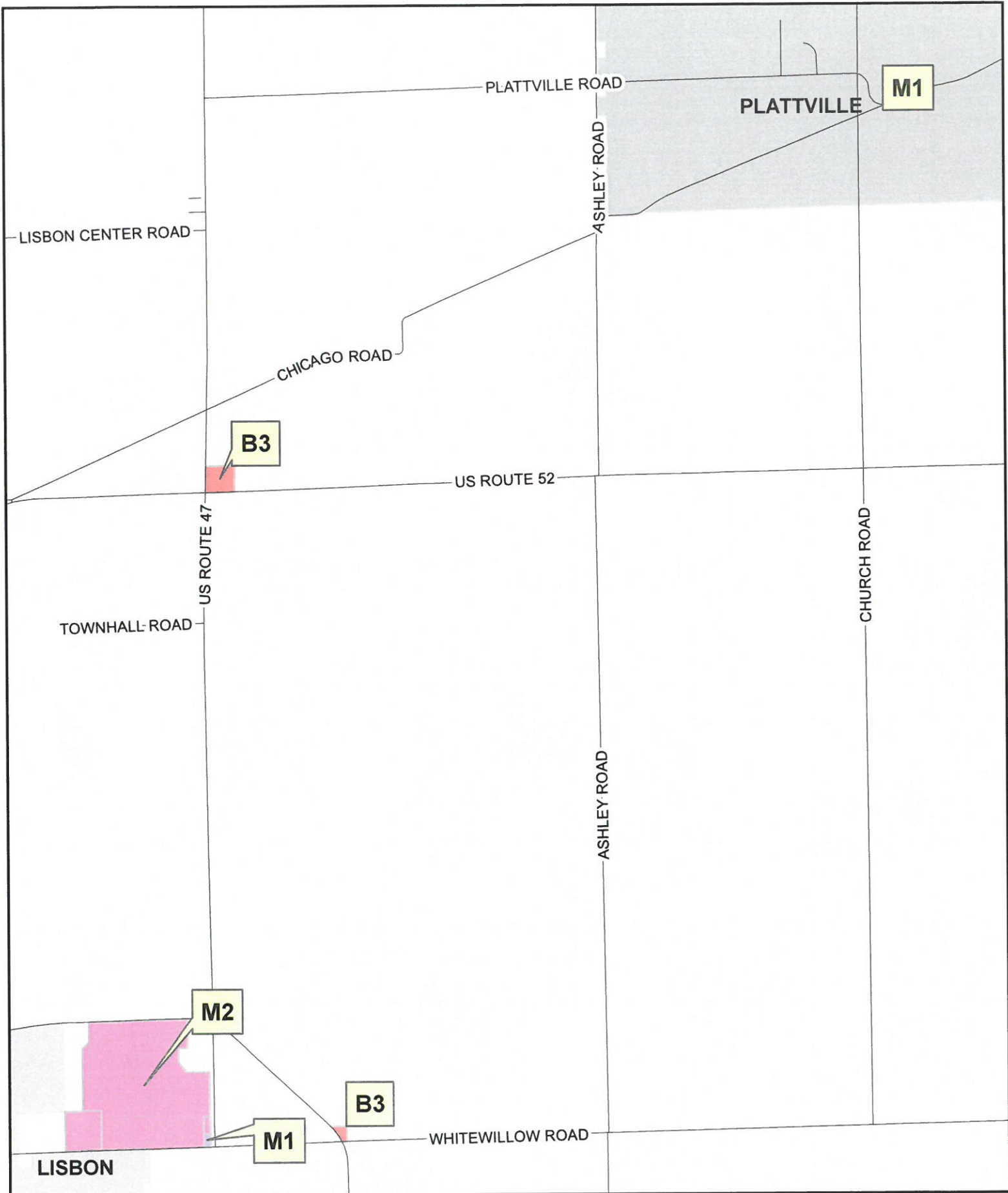
**Kendall County GIS**  
111 West Fox Street - Room 308  
Yorkville, Illinois 60560  
630.553.4212

## Big Grove Township



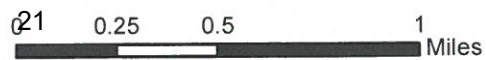
Created: 7/24/2019





**Kendall County GIS**  
 111 West Fox Street - Room 308  
 Yorkville, Illinois 60560  
 630.553.4212

## Lisbon Township

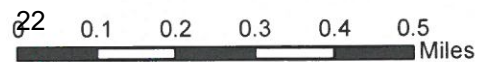


Created: 7/24/2019



**Kendall County GIS**  
111 West Fox Street - Room 308  
Yorkville, Illinois 60560  
630.553.4212

## Seward Township



Created: 7/24/2019

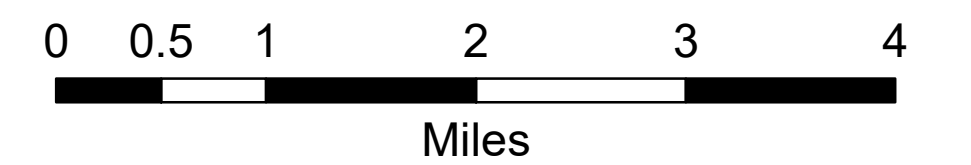
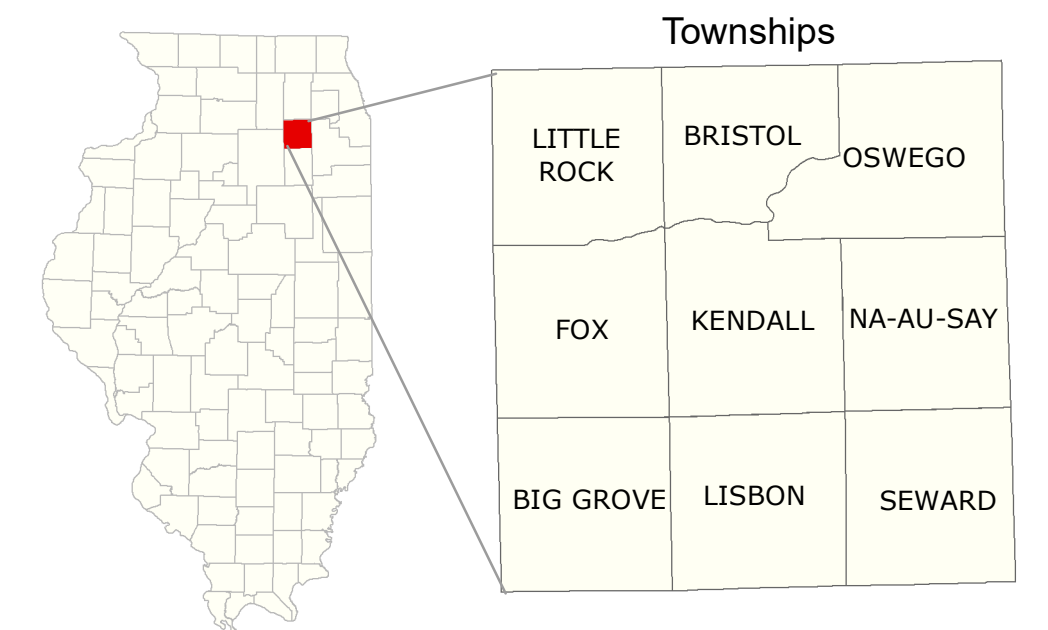
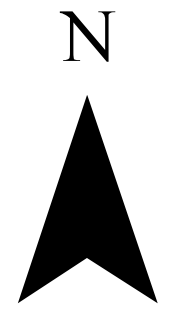


**Distance from Corporate Boundaries, Residential Zoning, Forest Preserve Land, Parks, Medical Centers, Places of Worship, Schools, and Day Cares**

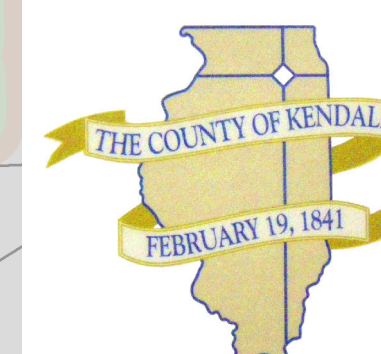
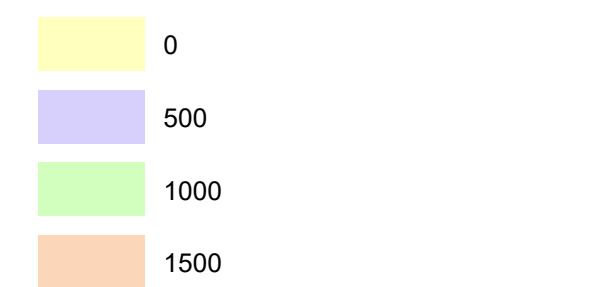
# KENDALL COUNTY

**- 2019 -**

gis.co.kendall.il.us



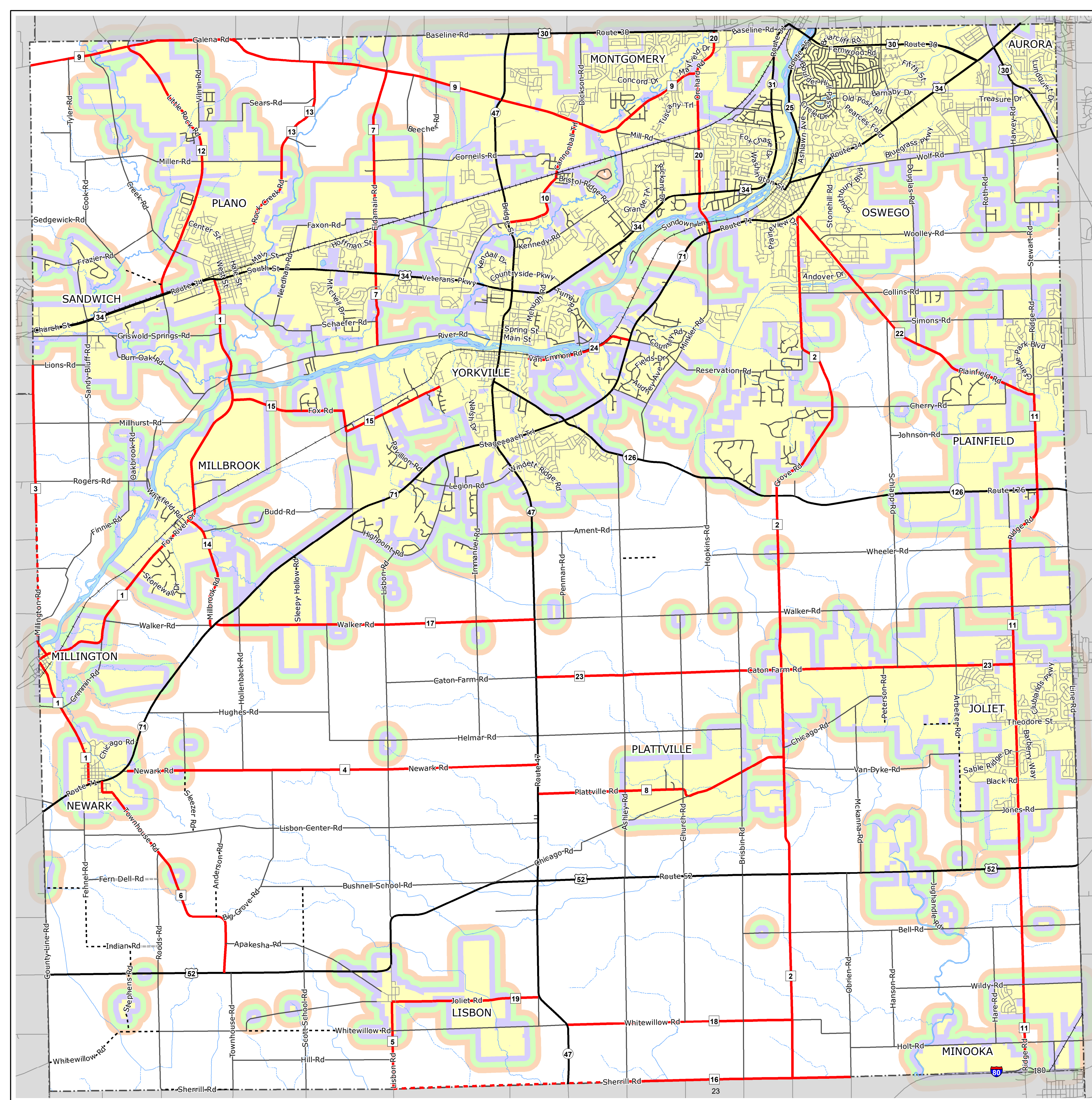
**Distance in Feet**



**Kendall County GIS**

111 West Fox Street - Room 308  
Yorkville, Illinois 60560  
630.553.4212

Created: 08/14/2019





# Buffers around Residential Buildings and Property Lines of Schools, Places of Worship, Day Cares, and Air Strips

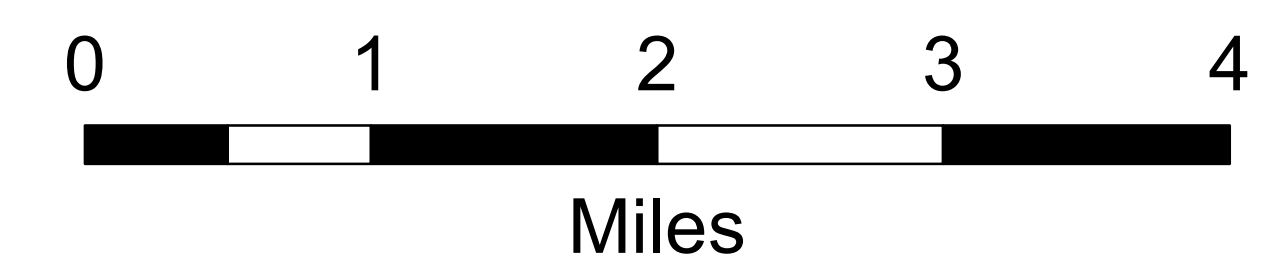
## KENDALL COUNTY

- 2019 -

<http://gis.co.kendall.il.us>

### Legend

- ADJACENT COUNTY
- COUNTY
- INTERSTATE
- STATE
- FEDERAL
- BITUMINOUS
- GRAVEL
- DIRT
- LOCAL
- RAILROAD
- POLITICAL TOWNSHIPS
- COUNTY FOREST PRESERVE
- STATE PARK
- CORPORATE BOUNDARIES
- 0 feet buffer
- 500 feet buffer
- 1,000 feet buffer
- 1,500 feet buffer



**Kendall County GIS**

111 West Fox Street - Room 308  
Yorkville, Illinois 60560-1498  
630.553.4212

