

**UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS**

ORDINANCE NO. 2014-08

AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY,
ILLINOIS, AMENDING THE YORKVILLE ZONING ORDINANCE BY ADDING
MEDICAL CANNABIS CULTIVATION CENTER AND DISPENSING
ORGANIZATION AS SPECIAL USES IN THE M-1 ZONING DISTRICT

Passed by the City Council of the
United City of Yorkville, Kendall County, Illinois
This 11th day of March, 2014

Published in pamphlet form by the
authority of the Mayor and City Council
of the United City of Yorkville, Kendall
County, Illinois on March 31, 2014.

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AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS, AMENDING THE YORKVILLE ZONING ORDINANCE BY ADDING MEDICAL CANNABIS CULTIVATION CENTER AND DISPENSING ORGANIZATION AS SPECIAL USES IN THE M-1 ZONING DISTRICT

WHEREAS, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to Section 10-14-7 of the Yorkville Zoning Code (the “Zoning Code”) the City may initiate amendments to the Yorkville Zoning Ordinance; and,

WHEREAS, the City filed seeking an amendment to the Zoning Code to define and locate medical cannabis dispensing organizations and cultivation centers in the zoning districts of the Yorkville Zoning Ordinance; and,

WHEREAS, Section 5/11-13-1.1 of the Illinois Municipal Code (65 ILCS 5/11-13-1.1) provides that the City may establish special uses in its zoning ordinance because of their unique characteristics, impact of those uses on neighboring land, and public need for that particular use at a particular location; and,

WHEREAS, the Plan Commission convened and held a public hearing on the 12th day of February 2014, on the question of the text amendments to the Zoning Code; and,

WHEREAS, upon conclusion of said public hearing, the Plan Commission recommended the approval of the text amendments to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: The above recitals are incorporated and made a part of this Ordinance.

Section 2: Title 10, Chapter 2, Section 10-2-3 of the United City of Yorkville Code of Ordinances is hereby amended by the addition of the following definitions:

“CULTIVATION CENTER: A facility registered by Department of Agriculture to perform activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).

MEDICAL CANNABIS DISPENSING ORGANIZATION: A facility operated by an organization or business that is registered by 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 qualified patients in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.).”

Section 3: Title 10, Chapter 8, Article A (M-1 Limited Manufacturing District), Section 10-8A-3 of the United City of Yorkville Code of Ordinances is hereby amended by the addition of the following special uses:

“Cultivation Center and Medical Cannabis Dispensing Organization in compliance with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.) provided that the distance requirements set forth in that Act are also required for public parks and religious institutions for such use.”

Section 4: This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 11 day of MARCH, 2014.

Asia Pickering
DEPUTY CITY CLERK

CARLO COLOSIMO	<u>n</u>	KEN KOCH	<u>y</u>
JACKIE MILSCHEWSKI	<u>y</u>	LARRY KOT	<u>y</u>
CHRIS FUNKHOUSER	<u>n</u>	JOEL FRIEDERS	<u>y</u>
ROSE ANN SPEARS	<u>n</u>	DIANE TEELING	<u>y</u>

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 19 day of MARCH 2014.

Nancy J. Golinski
MAYOR