



# Lake County Illinois

## Legislation Text

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File #: 21-0198, Version: 1

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Resolution directing the Lake County Zoning Board of Appeals to conduct a public hearing on proposed text amendments to Chapter 151 of the Lake County, Illinois, Code of Ordinances relating to the regulation of unincorporated adult-use cannabis businesses.

- Effective January 1, 2020, the Illinois Cannabis Regulation and Tax Act allows for the establishment of adult-use cannabis businesses and the sale and consumption of adult-use cannabis products within the State. The Act authorizes local governments (including counties) to enact “reasonable zoning regulations” to mitigate impacts from adult-use cannabis businesses.
- In advance of the County’s February 10, 2021 moratorium expiration, staff has prepared draft zoning amendments to the Lake County Code which are based on the Adult-Use Cannabis Task Force’s model regulations and additional research on best practices conducted during the County’s moratorium. The attached amendments would allow adult-use cannabis businesses in the unincorporated area subject to restrictions.
- A resolution has been prepared for County Board action directing the Zoning Board of Appeals to conduct a public hearing on the proposed amendments.

### RESOLUTION

**WHEREAS**, the Lake County Board adopted the Unified Development Ordinance of Lake County, Illinois on April 11, 2000; and

**WHEREAS**, the Lake County Board incorporated the Lake County Unified Development Ordinance into the Lake County, Illinois Code of Ordinances as Chapter 151 of the Lake County, Illinois Code of Ordinances on February 10, 2015; and

**WHEREAS**, the Lake County Code requires periodic review to maintain relevancy and address changing conditions; and

**WHEREAS**, the Cannabis Regulation and Tax Act has allowed for the establishment of adult-use cannabis businesses in Illinois and permits the production, sale and consumption of adult-use cannabis products within the State since January 1, 2020; and

**WHEREAS**, the Act authorizes local governments (including counties) to enact “reasonable zoning regulations” to mitigate any impacts from adult-use cannabis businesses; and

**WHEREAS**, upon adoption of the Act on June 25, 2019, the Planning, Building and Development Department convened a multi-jurisdictional adult-use cannabis model zoning

ordinance task force to develop a series of model tools (including model regulations to ban or permit adult-use cannabis businesses within a local government's jurisdiction) in accordance with the Act; and

**WHEREAS**, the Planning, Building and Development Department has prepared draft ordinance text amendments, adapted from the task force's model regulations, which would permit adult-use cannabis businesses in the unincorporated area subject to restrictions, and recommends that the Zoning Board of Appeals (ZBA) conduct a public hearing to obtain public input and evaluate the proposed amendments for potential adoption; and

**WHEREAS**, in order to facilitate such public engagement and policy evaluation, the Public Works, Planning and Transportation Committee is of the opinion that necessary steps should be taken by the Lake County Board to initiate the public hearing process; and

**WHEREAS**, the state law requires a public hearing to amend the text of the Lake County Code of Ordinances.

**NOW, THEREFORE, BE IT RESOLVED** by the Lake County Board that the ZBA is hereby directed to conduct a public hearing on the proposed amendments identified in Exhibit A and such other amendments that are directly related thereto; and

**BE IT FURTHER RESOLVED** that the Secretary of the ZBA is hereby directed to notify the ZBA of this action and keep a record of this Resolution; and

**BE IT FURTHER RESOLVED** that the Clerk of the County Board shall keep a record of this action.

**DATED AT WAUKEGAN, LAKE COUNTY, ILLINOIS**, this 9<sup>th</sup> day of February, 2021.