



Agenda Item Summary

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Submitted By

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Reviewed By

LKS

Agenda Item Title

An Ordinance Establishing a Temporary Moratorium on the Location, Siting and Acceptance of Permit Applications of Cannabis Business and On-Site Consumption of Cannabis Establishments in the Village of Oak Park

Overview

This is an Ordinance establishing a temporary moratorium through May 4, 2020 on the location, siting and acceptance of permit applications of cannabis business and on-site consumption of cannabis establishments in the Village of Oak Park.

Recommendation

This item has been added to the agenda pursuant to a request by the Mayor and Trustee Taglia.

Fiscal Impact

N/A.

Background

The Village Board adopted Ordinance Number 19-71 on September 16, 2019 amending Article 8, Table 8-1 of the Oak Park Zoning Ordinance to add recreational cannabis establishments as a permitted use in all business and commercial zoning districts after a public hearing before the Plan Commission.

On December 10, 2019, the State of Illinois begins considering licenses for recreational cannabis establishments. While it is unclear if those applications will involve Oak Park locations, the concern without the moratorium is that the applicants maybe relying on the Village's current ordinance and pursuant to public comments on November 4, 2019 there is a request for removal of the North Avenue corridor by businesses for a change in zoning to prohibit retail cannabis sales in the corridor. Staff has anticipated this matter being presented to the Village Board for discussion in January 2020.

In Article 14 (Zoning Approvals), Section 14.1 (Zoning Text and Map Amendments) of the Oak Park Zoning Ordinance, the ordinance allows several entities, including the Village Zoning Administrator to initiation a zoning ordinance text amendment regarding recreational cannabis retail sales establishments and lounges. Therefore during the moratorium, staff will prepare and submit for public hearing a Zoning Ordinance text amendment application recommending a change in use from a permitted use to a special use in all business

and commercial zoned districts for recreational cannabis establishments and consumption lounges. After receipt of a complete application, the Plan Commission will consider the proposed zoning amendment at a public hearing. Within 60 days of the close of the public hearing, the Plan Commission must forward its recommendation to the Village Board, unless an extension is agreed to by the applicant. For zoning text amendments, the Plan Commission must recommend approval, approval with conditions, or denial of the application. The Village Board, after receiving a recommendation from the Plan Commission, will take formal action on requests for zoning text amendment. The Village Board must act on the application within 60 days of receipt of the Plan Commission recommendation. The Village Board must take action in the form of approval, approval with conditions, or denial on applications for zoning text amendments. The Village Board may also refer the application back to the Planning Commission for further consideration. If the Village Board does not act upon the application within 60 days of receipt of the Plan Commission recommendation, the application is deemed denied unless the Village Board has granted additional consideration time.

Alternatives

The Board could delay action for additional information or deny the Moratorium Ordinance.

Previous Board Action

N/A.

Citizen Advisory Commission Action

N/A.

Anticipated Future Actions/Commitments

This matter will return to the Village Board for final consideration after the Plan Commission holds a public hearing and makes recommendation on the Zoning Ordinance text amendment.

Intergovernmental Cooperation Opportunities

N/A.