

RESOLUTION 2013 -141

A RESOLUTION REGARDING ZONING RESTRICTIONS ON CANNABIS DISPENSARIES AND RELATED FACILITIES

WHEREAS, the Village of Vernon Hills (the "**Village**") is a home rule municipality in accordance with State Statues of the State of Illinois; and

WHEREAS, the Village has a long tradition of utilizing its zoning and planning authority to ensure that compatible uses are maintained in its various neighborhoods; and

WHEREAS, the 97th Illinois General Assembly had previously considered House Bill 30 "Compassionate Use of Medical Cannabis Pilot Program Act" (the "**Proposed Law**"), which law, if approved would authorize qualifying patients that have been diagnosed by a physician as having a debilitating medical condition, as defined by the Proposed Law, to use cannabis without being subject to arrest, prosecution, or denial of any right or privilege for the medical use of cannabis in accordance with the Proposed Law; and

WHEREAS, under the Proposed Law, nonprofit medical cannabis organizations, as defined by the Proposed Law ("**Distribution Facilities**"), would be authorized to grow, harvest, and distribute cannabis ("Proposed Uses"); and

WHEREAS, under the Proposed Law only one Distribution Facility will be permitted by the state to operate within each Illinois Senate District; and

WHEREAS, Appendix C of the Village Code of Ordinances (the "**Zoning Ordinance**") does not plainly address uses that would encompass Distribution Facilities or related operations; and

WHEREAS, at the close of the 97th Illinois General Assembly, the Proposed Law had not yet been approved; and

WHEREAS, the 98th Illinois General Assembly, on May 17, 2013 approved House Bill 1, bearing the same title as the Proposed Law (the "**Current Law**"); and

WHEREAS, the Current Law, which is awaiting the governor's signature, provides for regulations including the authorization for Distribution Facilities or similar facilities which are permitted under the law, but with which the Village is not be immediately equipped to handle any zoning requests in connection with such Distribution Facilities; and

WHEREAS, the Village Board has determined that it is in the best interest of the Village and its residents to direct the Planning and Zoning Commission of the Village of Vernon Hills (the "**Planning and Zoning Commission**") to evaluate the classification of Distribution Facilities and recommend to the Village Board whether Distribution Facilities should be considered "Special Uses" under the Zoning Ordinance as well as such other regulations as may be necessary, important, or beneficial to the Village and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:

SECTION ONE: RECITALS. The foregoing recitals are incorporated in, and made a part of, this Resolution by this reference as findings of the Village Board of the Village of Vernon Hills.

SECTION TWO: DIRECTION TO PLAN AND ZONING COMMISSION; NOTICE TO PUBLIC. Should the Current Law, or any similar law, be signed into law by the Governor, the Planning and Zoning Commission is hereby directed to hold a public hearing on the question of whether the Zoning Ordinance should be amended to include Distribution Facilities or other Proposed Uses as a Special Use and make a recommendation to the Village Board regarding the same along with any other conditions that should be attached to the zoning of Distribution Facilities or other Proposed Uses. The notice of such hearing shall be given as required by law within 120 days after the effective date of the Proposed Law or any similar law. The public shall be deemed to have notice that the Village is considering a Zoning Ordinance amendment regarding Distribution Facilities as of the effective date of this Resolution.

SECTION FOUR: Effective Date

This Resolution shall be effective following passage by the Board of Trustees of the Village of Vernon Hills in the manner required by law.

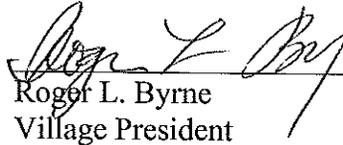
Dated the 13th day of August 2013

Adopted by roll call vote as follows:

AYES: 6 – Williams, Hebda, Koch, Marquardt, Schultz, Schwartz

NAYS: 0 - None

ABSENT AND NOT VOTING: 0 - None

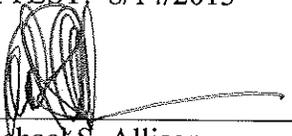


Roger L. Byrne
Village President

PASSED: 8/13/2013

APPROVED: 8/13/2013

ATTEST: 8/14/2013



Michael S. Allison
Village Clerk