

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
June 20, 2023

The Planning and Zoning Commission held a meeting on June 20, 2023, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St. DeKalb, Illinois. Chair Max Maxwell called the meeting to order at 6:00 PM.

A. ROLL CALL

Recording Secretary Stephanie Turner called the roll. Planning and Zoning Commission members present were: Trixy O’Flaherty, Shannon Stoker, Jerry Wright, Bill McMahon, and Chair Max Maxwell. Steve Becker and Maria Pena-Graham were absent. Planning Director Dan Olson and City Manager Bill Nicklas were present representing the City of DeKalb. City Attorney Matthew Rose was present via Zoom audio.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the June 20, 2023, agenda as presented. Ms. O’Flaherty motioned to approve the agenda as presented. Mr. Wright seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. May 15, 2023 –Chair Maxwell requested a motion to approve the May 15, 2023, minutes as presented. Mr. Wright motioned to approve the minutes as presented. Mr. McMahon seconded the motion, and the motion was approved by unanimous voice vote.

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

E. NEW BUSINESS

1. **Public Hearing** – A petition by the City of DeKalb for text amendments to the UDO to amend Article 5.11 “LI” Light Industrial District and Article 5.12 “HI” Heavy Industrial District to add “adult-use cannabis craft grower” as a special use and to Article 7.18 “Cannabis Business Establishment” to amend the definition for a “cannabis business establishment” to include “adult-use cannabis craft growers”, adding setback and parking requirements for “adult-use cannabis craft growers” and other miscellaneous amendments.

Planning Director Olson went through the Staff Report dated June 15, 2023, and explained the reason for the petition is to expand what is allowed for cannabis business establishments. He noted the proposed amendment will add “adult-use cannabis craft growers” as a special use in the “LI” Light Industrial District and “HI” Heavy Industrial District.

Mr. Olson said cannabis craft growers are licensed by the State of Illinois and they cultivate, dry, cure, package cannabis, and are allowed to transport cannabis directly to dispensaries if they are within 15 miles. He added craft growers are usually located in industrial type areas, restricted to 5,000 square feet of enclosed space, but a maximum of 14,000 square feet is permissible if authorized by the IL Department of Agriculture.

Mr. Olson touched on the additional amendments which include parking and signage requirements, which mirror the state regulations. He covered the history of the Cannabis Regulation and Tax Act of 2019 which allowed cannabis sales in the State. Mr. Olson discussed the two special use permits for cannabis dispensaries that were previously approved in the City, which are set to open by the end of August.

Mr. Olson spoke on the proposed regulation of cannabis growers having to be at least 1,500 feet from other craft growers. He stated this is the same as the State requirement. He discussed the proposed parking requirement, which will match the manufacturing use in the UDO, which is one space for every employee on the maximum shift. Mr. Olson added another amendment is requiring craft growers to comply with local and state laws for signage, advertisement and building and fire code compliance. He stated this amendment is the next step in expanding cannabis businesses in the City and staff would recommend approval.

City Attorney Matthew Rose stated he was available if the Commission had any questions.

Chair Maxwell asked if there were any questions or comments from the public. There were none. Chair Maxwell asked if there were any questions or comments from the Commission members.

Max Maxwell said he believes this the next logical step in the expansion of cannabis businesses in the City.

Trixy O'Flaherty mentioned the State's comprehensive cannabis regulations and agreed with Mr. Maxwell.

Jerry Wright questioned why each one (craft grower and dispensary) was termed adult-use. Planning Director Olson said that is the terminology the State uses, and its further broken down between medical and recreational. Mr. Wright asked if "adult-use" would be taking the place of "recreational". City Attorney Matthew Rose and Planning Director Olson explained they are synonymous terms.

Ms. O'Flaherty moved that based on the submitted petition and testimony presented, the Planning and Zoning recommend to the City Council approval of text amendments to the Unified Development Ordinance regarding the addition of "Adult-Use Cannabis Craft Grower" as a special use in the "LI" Light Industrial District and "HI" Heavy Industrial District and other associated amendments as indicated in Exhibit A attached to the staff report.

Ms. Stoker seconded the motion.

A roll call vote was taken. Ms. O'Flaherty – Yes, Ms. Stoker- Yes, Mr. Wright – Yes, Mr. McMahon – Yes, Chair Maxwell – Yes. Steve Becker and Maria Pena-Graham were absent. Motion passed 5-0-2.

F. REPORTS

Planning Director Olson announced the next Commission meeting is set for Monday, July 3, however three commissioners will not be available so it will be cancelled. He stated the second meeting in July is on the 17th with a fence variance and the Nehring Properties rezonings scheduled for that date.

City Manager Bill Nicklas updated the Commission on the discussions at the City owned property at the corner of Blackhawk Rd. and Hillcrest Dr. He said there is continuing talks with NIU and DeKalb County Community Gardens on a plan for the property. He stated this item may be on the City Council agenda for the first meeting in July.

Mr. Nicklas also spoke on the work at the Project Supernova site at Peace Road and E. Gurler Road. He added the company should hopefully be announced within about 30 days.

G. ADJOURNMENT

Mr. Wright motioned to adjourn, Mr. McMahon seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:13 PM.

Minutes prepared by: Stephanie Turner Approved: July 17, 2023