

PC 20-18 Cannabis Dispensary

Frequently Asked Questions: July 22, 2020

1. What is PC 20-18?

PC 20-18 is a Plan Commission case regarding a proposed cannabis dispensary in Lombard. On June 26, 2020, the Village received an application for approval of a zoning conditional use approval to allow for a cannabis dispensary to open at 783 E. Butterfield Road. This location allows for cannabis dispensaries as a conditional use and therefore requires a public hearing before the Lombard Plan Commission, with final approval by the Lombard Village Board. The public hearing was July 20, 2020 and the Plan Commission recommended approval to the Village Board. If ultimately approved by the Village Board, this location will only be allowed to sell cannabis related product (they cannot grow cannabis on site)

2. What is the status of the petition?

The petition was recommended for approval by the Plan Commission. The Board will consider the request at their meeting on Thursday, August 20th at 6 p.m. If approved, the facility can move forward in opening for business.

3. What is considered by the Plan Commission in their review?

The function of the Village's Plan Commission is to review the materials and testimony pertaining to the proposed use of the property, in compliance with the Comprehensive Plan and the standards set forth within Village Code. The Plan Commission does not make recommendations outside the purview of government regulation or on items that are regulated through other sections of the Village Code, such as law enforcement regulations or whether possession of cannabis should be legal. The Plan Commission is a recommending body and does not have final approval authority. The Village Board action will not take place until after the Plan Commission votes on and provides its recommendation.

4. Why is the Village hearing this request?

When a business or developer approaches the Village with a request to open a business in Lombard, this request is received and processed by the Village's Community Development Department. All property owners/petitioners have a legal right to request consideration of a development proposal for their property. In 2019, the Village Board approved the sales of cannabis in the Village of Lombard, in specific areas. Since this proposed business is located in an area for which a cannabis dispensary is conditionally approved, this is an appropriate request. As the proposed location is within a defined conditional use zone, the matter must be approved by the Plan Commission and the Village Board.

5. Who is the petitioner?

Verano Holdings LLC is the petitioner. They operate cannabis dispensaries throughout the country under the name Zen Leaf. They have locations in St. Charles and Effingham and are going through the approval process in Prospect Heights. A location in Aurora has been approved and the space is being built out.

6. Can I find more information about this location online?

Yes. The materials that Verano Holdings LLC has provided to the Village are online at: villageoflombard.org/publichearings.

7. What are the proposed hours of operation?

Zen Leaf proposes to conduct business between the hours of 8 a.m. – 10 p.m., Monday through Saturday, and 10 a.m. – 7 p.m. on Sundays.

8. How would the business operate?

The proposed establishment would be set up and operated like many retail business establishments, such as jewelry stores or banks. Customers would need to enter into the premises and work with a store representative to be shown available product. Product would not be available for sale outdoors or via a drive-through. State limitations are placed upon the amount of product that can be purchased.

9. How will lighting and parking be addressed?

The dispensary is proposed to locate in an existing retail center. The retail center meets parking per Code. The retail center follows the Village's Photometric Code (located in the Village's Zoning Ordinance) regarding lighting. Lighting is provided for the parking lot.

10. When was cannabis made legal in Illinois?

On June 25, 2019, Governor JB Pritzker signed Illinois House Bill 1438, better known as the Cannabis Regulation and Tax Act (CRTA), thus legalizing the consumption and possession of cannabis for adults 21 and older in Illinois.

11. When were recreational cannabis dispensaries approved in the Village of Lombard?

At the Village Board Meeting on Thursday, October 3, the Lombard Board of Trustees voted unanimously (with one abstention), to allow recreational cannabis dispensary facilities in Lombard, in either a permitted or conditional use, depending on location. The video is available on the Village's website at www.villageoflombard.org/recreationalcannabis.

12. Can the consumption/possession of cannabis be banned by a local municipality like Lombard?

No, municipalities cannot ban or override the CRTA.

13. Why is the Village putting a cannabis dispensary in this location?

The Village does not decide what businesses open or build in Lombard. The Village's responsibility is to ensure that businesses wishing to open are within proper zoning regulations.

14. How is cannabis taxed? And how will the potential tax revenue from the (3%) tax be used by Lombard?

Per the State, recreational sales will be taxed at 10% for cannabis with THC levels at or less 35%; 25% for cannabis with THC levels above 35%; and 20% for cannabis infused products such as edibles. This is in addition to standard state and local sales taxes. Additionally, municipalities may add a special tax of up to 3% and counties may add a special tax up to 3.75% in unincorporated areas. The Village approved a tax of 3% in October 2019.

Currently, the Village has no plans in place for these potential funds. The expectation of staff is that the 3% sales tax would go toward the General Fund but it is not yet certain.

15. What efforts will the Village take in communicating to the public about this topic?

The Village is committed to above board communication and honest transparency at each step that should occur. Ahead of each time that this topic will be considered on any Village committee or board agenda, the Village will share information about the upcoming meetings on Facebook, Twitter, and in the Village's weekly e-pride newsletter. All meetings will also be posted on the Village Calendar and agendas will be available at: <https://www.villageoflombard.org/209/View-Agendas-Minutes>

Meetings are available to watch live online at www.villageoflombard.org/live, on Comcast Channel TV-6 and on AT&T Channel 99.

16. Why doesn't the Village send letters to all Lombard residences when a public hearing takes place?

There are 21,639 residences in Lombard. It would not be cost efficient or a responsible use of limited staff power and tax payer dollars to send mailings to all 21,639 residences, as the vast majority are not affected by localized projects. A direct communication is mailed out to residents and businesses located closest to the public hearing sites. The Village posts all public hearings on its website at villageoflombard.org/publichearings.

17. I would like to be notified about all public hearings that are happening throughout the Village of Lombard, even if my residence is not located near the proposed project. How do I do that?

Public hearings take place at Plan Commission Meetings, which are scheduled on the third Monday of the month, with the exception of the January meeting which takes place on the

4th Monday. All Plan Commission meetings are available to watch live on the Village's local broadcast on both Comcast and AT&T and are also streamed live at villageoflombard.org/live.

Additionally, any resident wishing to receive email notifications about all public hearings may sign up for the Village's public hearings email list at villageoflombard.org/notifyme.

18. How do I submit a comment to the Plan Commission to be read at their upcoming meeting?

Due to Covid-19, the Governor has allowed for virtual public hearings. All interested persons will be given the opportunity to participate in the public hearing via telephone or submission of public comments or evidence in advance of the meeting. If you would like to submit your comment you can choose from one of the following options:

- Email communitydevelopment@villageoflombard.org
- Call and leave a voicemail at (630)620-5760
- Mail a letter to:

Community Development Department
Attn: Plan Commission
Village of Lombard
255 E. Wilson Avenue
Lombard IL 60148

Please contact staff at (630)620-5717 or ganserj@villageoflombard.org if you need further assistance.

19. How can I find out more information?

Interested parties can call or email Jennifer Ganser, Assistant Director of Community Development, 630-620-5717 or ganserj@villageoflombard.org. General information on cannabis can be found at: www.villageoflombard.org/recreationalcannabis.