Village of Maple Park
Planning Commission Meeting Agenda
Thursday, October 23, 2014
7:00 p.m.

1. Call to Order / Establishment of Quorum

Chairman Art Maercker called the meeting to order at 7:00 p.m.

Village Clerk Liz Peerboom called the roll call and the following Commissioners were present: Chairman Art Maercker, Commissioner JP Dries, Commissioner George (Nick) Davis, Commissioner Chuck Miller, and Commissioner Lorenzo Catanag. Absent: Commissioner Bob Rowlett and Commissioner Jeff Ramirez.

Others present: Village Clerk Liz Peerboom.

2. Approval of Planning Commission Meeting Minutes
   ● September 25, 2014

Commissioner Miller made a motion to approve the Planning Commission meeting minutes from September 25, 2014, seconded by Commissioner Davis. Motion carried by voice vote.

3. Discussion of Comprehensive Plan Update

Consensus was that overall it was a good document, except for the maps that were promised by the Village Engineer.

4. Discussion of Subdivision Ordinance

Consensus was that the changes made were adequate.

5. Discussion of Medical Marijuana Ordinance

After some discussion, the Commissioners agreed that a Cultivation Center should be a special use in a property zoned Agriculture, and a Distribution Center should be a special use in a property zoned Industrial.

The Village Clerk will make the changes and have the draft ordinance on the next meeting agenda.
It was also agreed that one public hearing should be held for all three items.

6. **Adjournment**

Commissioner Dries made a motion to adjourn the meeting, seconded by Commissioner Miller. Motion carried by voice vote.

Meeting adjourned at 7:54 p.m.
VILLAGE OF MAPLE PARK

RULES FOR PUBLIC COMMENT AT MEETINGS

Public Body: Plan Commission

1. The Village of Maple Park permits comments by members of the public at Plan Commission meetings on current agenda items or other matters of public concern. These comments are permitted after the Call to Order under the agenda item identified as “Public Comments.” The Public Comments shall be limited to a maximum of thirty minutes.

2. No person shall address the Plan Commission without first being recognized by the Presiding Officer, generally the Chairman.

3. Each person wishing to address the Plan Commission shall sign in on the public comment form provided prior to the beginning of the meeting, giving his or her name for the record and identifying the subject on which he or she wishes to speak. Speakers will be called in the order in which they signed up on the form.

4. All remarks should be addressed to the Plan Commission as a whole and not to any member thereof. In the event that speakers seek to pose questions to a member of the commission, they should be aware that those individuals may decline to answer when a complete answer requires research or deliberate consideration.

5. Comments shall not exceed five minutes per speaker unless limited to a shorter duration by the Presiding Officer if numerous people wish to speak. In order to expedite Plan Commission business and avoid repetitive presentations, it shall be in order for the Presiding Officer to encourage that a spokesperson be chosen for individuals wishing to speak about the same subject matter.

6. Each speaker shall maintain civility and decorum. The Presiding Officer retains the right to stop or remove any speaker who uses profanity, makes threats, or is otherwise abusive or disruptive.

Adopted this ___ day of __________, 2014.

PLAN COMMISSION - VILLAGE OF MAPLE PARK
ORDINANCE NO. 2014-XX

AN ORDINANCE AMENDING TITLE 12, "SUBDIVISION ORDINANCE," CHAPTER 3, "REQUIRED IMPROVEMENTS AND STANDARDS," 12-3-1c3 TO UPDATE THE LIST OF PROHIBITED TREES, AND AMENDING CHAPTER 12-3-7 "STREETS" SUBSECTIONS J., N., O., AND R.

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this _____ day of __________________, 2015.
ORDINANCE NO. 2014-XX

AN ORDINANCE AMENDING TITLE 12, “SUBDIVISION ORDINANCE,” CHAPTER 3, “REQUICKED IMPROVEMENTS AND STANDARDS,” 12-3-1c3 TO UPDATE THE LIST OF PROHIBITED TREES, AND AMENDING CHAPTER 12-3-7 “STREETS” SUBSECTIONS J., N., O., AND R.

WHEREAS, the Board of Trustees of the Village of Maple Park, Illinois has determined that it is in the best interest and welfare of the citizens of the Village of Maple Park, to adopt the amended subdivision ordinance of the Village of Maple Park, Illinois, DeKalb and Kane Counties.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Maple Park, Illinois as follows:

Section 1. Title 12, “Subdivision Regulations” Chapter 3, Section 1 “General Provisions” subsection C-3-8 shall be amended to read as follows:

3. Evaluation of Existing Trees:

(8) They are Silver Maple, Ash, Walnut, Poplar, Cottonwood, Willow, and Siberian Elm, or other fast growing softwood trees determined by the village to be short lived or of poor quality.

Section 2. Title 12, Chapter 3, Section 7 “Streets,” 12-3-7-J, shall be amended to read as follows:

J. Street Right of Way Widths: Right-of-way widths for designated streets shall conform to the following minimum requirements or to the requirements of the appropriate authority, whichever is greater:

<table>
<thead>
<tr>
<th>Street Classification</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>120 feet</td>
</tr>
<tr>
<td>Collector:</td>
<td></td>
</tr>
<tr>
<td>Major Collector</td>
<td>100 feet</td>
</tr>
<tr>
<td>Minor Collector</td>
<td>66 feet</td>
</tr>
<tr>
<td>Local:</td>
<td></td>
</tr>
<tr>
<td>Minor and industrial service</td>
<td>66 feet</td>
</tr>
<tr>
<td>Frontage Road</td>
<td>50 feet</td>
</tr>
<tr>
<td>Alley</td>
<td>25 feet</td>
</tr>
</tbody>
</table>

Section 3. Title 12, Chapter 3, Section 7 “Streets,” 12-3-7-N shall be amended to update number 8 a. to read as follows:

N. Pavement Design and Construction Standards

8. PCC Rigid Pavement Requirements:

a. Portland cement concrete pavement shall be designed in accordance with the IDOT
design manual for rigid pavement. The design data and calculations shall be submitted to the village for approval.

Section 4. Title 12, Chapter 3, Section 7 "Streets," 12-3-7-O shall be amended to update number 4 k. and 4 m. to read as follows:

k. Streetlight Assembly: Streetlight assembly shall be HADCO P9500 or equal.

m. Luminaries: Luminaries shall be HADCO PA31 Profiler or equal.

Section 5. Title 12, Chapter 3, Section 7 "Streets," 12-3-7-R, shall be amended to read as follows:

R. Street Signs

1. Street name signs shall be furnished and installed by the developer at all street intersections and at the developer’s expense. Street name signs shall be of the type that is standard with the village and be approved and installed as directed by the village’s Director of Public Works.

2. Traffic and pedestrian control signs, such as stop signs, parking signs, pedestrian walk signs, etc., will be furnished and installed by the developer at the expense of the developer.

Section 6. This Ordinance shall be in full force and effect upon its passage and approval according to law.

PRESENTED to the Board of Trustees of the Village of Maple Park, DeKalb and Kane Counties, Illinois, this ___ day of __________, 2015.

PASSED by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this ___ day of __________, 2015.

AYES: 

NAYS: 

ABSENT: 

SIGNED by the President of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this ___ day of __________, 2015.

SEAL

Kathleen Cutis, Village President
Village of Maple Park, Illinois

ATTEST:

Elizabeth E. Peerboom, Village Clerk

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STATE OF ILLINOIS
) SS
COUNTIES OF KANE AND DEKALB
)

PUBLICATION IN PAMPHLET FORM

I, Elizabeth Peerboom, certify that I am the Village Clerk of the Village of Maple Park, Kane and DeKalb Counties, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that, as of the date hereof, Ordinance No. 2015-XX, adopted by the corporate authorities on ____________ entitled "AN ORDINANCE AMENDING TITLE 12, "SUBDIVISION ORDINANCE," CHAPTER 3, "REQUIRED IMPROVEMENTS AND STANDARDS," 12-3-1c3 TO UPDATE THE LIST OF PROHIBITED TREES, AND AMENDING CHAPTER 12-3-7 "STREETS" SUBSECTIONS J., N., O., AND R." has been duly published in pamphlet form in accordance with Section 1-2-4 of the Illinois Municipal Code.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this ___ day of ____________, 2015.

(SEAL)

___________________________________________________________________
Elizabeth Peerboom, Village Clerk
Village of Maple Park
Kane and DeKalb Counties, IL
ORDINANCE NO. 2014-XX

AN ORDINANCE AMENDING TITLE 5 OF THE VILLAGE CODE OF MAPLE PARK, ILLINOIS “PUBLIC HEALTH AND SAFETY,” BY ADDING CHAPTER 10, “MEDICAL CANNABIS”

ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this _____ day of ______________, 2015.
ORDINANCE NO. 2015-XX

AN ORDINANCE AMENDING TITLE 5 OF THE VILLAGE CODE OF MAPLE PARK, ILLINOIS “PUBLIC HEALTH AND SAFETY,” BY ADDING CHAPTER 10, “MEDICAL CANNABIS”

WHEREAS, on August 1, 2013, the Governor of the State of Illinois signed into law Public Act 98-0122, establishing the Compassionate Use of Medical Cannabis Pilot Program Act ("Act"); and

WHEREAS, pursuant to the Act, qualifying patients that have been diagnosed by a physician as having a debilitating medical condition, as defined by the Act, 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 Act; and

WHEREAS, under the Act, cultivation centers, as defined by the Act ("Cultivation Centers"), will be authorized to grow, harvest, and distribute cannabis; and

WHEREAS, under the Act, medical cannabis dispensing organizations, as defined by the Act ("Distribution Facilities"), will be authorized to dispense cannabis to qualifying patients; and

WHEREAS, the Act permits the operation of a limited number of Cultivation Centers and Distribution Facilities throughout the State, and provides that municipalities may enact reasonable zoning regulations for these facilities, but prohibits municipalities from completely prohibiting the location of Cultivation Centers and Distribution Facilities; and

WHEREAS, the Village of Maple Park Village Code as amended ("Zoning Ordinance"), does not plainly address uses that would encompass Cultivation Centers, Distribution Facilities, or related operations; and

WHEREAS, the President and Board of Trustees have considered the Proposed Amendments and the recommendation of the Planning Commission, and have determined that adoption of the Proposed Amendments, as set forth in this Ordinance, will serve and be in the best interest of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, as follows:

RECATALS.

SECTION 1: The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the Village President and Board of Trustees.

SECTION 2: Adding Section 5-10-1, titled “Rules and Definitions,” to read as follows:
"Cultivation center" has the meaning set forth in Section 10 of the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/10, as may be amended.

"Medical cannabis dispensing organization" has the meaning set forth in Section 10 of the Illinois Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/10, as may be amended.

SECTION 3: Adding Section 5-10-2, titled “Medical Cannabis – Cultivation Centers,” to read as follows:

5-10-2 MEDICAL CANNABIS – CULTIVATION CENTERS:

Cultivation centers, subject to all applicable supplemental review standards as provided for in Section 11-14-1, titled “Supplemental Review Standards,” of the Zoning Ordinance within the Village Code:

1. A cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or area zoned for residential use.

2. A cultivation center may not be located within 1,000 feet of the property line of a pre-existing cultivation center or medical cannabis dispensing organization.

3. In accordance with State statutes and regulations, cultivation centers are prohibited from advertising through any public medium. Therefore, a cultivation center may not install, construct, erect, alter, enlarge, replace, or move any signs other than site-relevant incidental signs, building memorial markers, and nameplates, and only in compliance with Chapter 16.40 of this Title.

4. Cultivation centers must be constructed, maintained, and operated in strict compliance with all applicable State statutes and regulations.

5. Cultivation centers must be constructed, maintained, and operated in strict compliance with all applicable State statutes and regulations.

6. Cultivation centers are subject to special use provisions and shall only be installed in a property zoned as Agriculture as provided in the Zoning Ordinance of the Village Code.
**SECTION 3:** Adding Section 5-10-3, titled “Medical Cannabis – Dispensing Centers,” to read as follows:

**5-10-2 MEDICAL CANNABIS – DISPENSING CENTERS:**

Medical cannabis dispensing organizations, subject to all applicable supplemental review standards as provided in Section 11-14-1, titled “Supplemental Review Standards,” of the Zoning Ordinance within the Village Code.

1. A medical cannabis dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.

2. A medical cannabis dispensing organization may not be located in a house, apartment, or condominium.

3. A medical cannabis dispensing organization may not permit any person to consume cannabis on the property of a medical cannabis dispensing organization.

4. A medical cannabis dispensing organization may not share office space with or refer patients to a physician.

5. No drive-through facility may be constructed or operated in conjunction with any medical cannabis dispensing organization.

6. No medical cannabis dispensing organization may be open for business before 6:00 a.m. or after 8:00 p.m. on any day.

7. A sufficient number of parking spaces for the medical cannabis dispensing organization must be provided in compliance with the Zoning Ordinance within the Village Code. Additionally, the parking provided for a medical cannabis dispensing organization must be reserved for the exclusive use of dispensing organization employees and patrons, and may not be shared with other businesses.

8. Dispensing centers must be constructed, maintained, and operated in strict compliance with all applicable State statutes and regulations.

9. Dispensing centers are subject to special use provisions shall only be installed in a property zoned as Industrial as provided in the Zoning Ordinance of the Village Code.

**SECTION 4: SEVERABILITY.** If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to

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achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

**SECTION 5: EFFECTIVE DATE.** The provisions of this Ordinance will be in full force and effect upon its passage, approval and publication, in accordance with law.

PASSED and APPROVED this ___ day of ____, 2015, pursuant to roll call vote as follows:

AYES: 

NAYS: 

ABSENT: 

[Seal]

Kathleen Curtis, Village President

ATTEST:

[Signature]

Elizabeth Peerboom, Village Clerk