

CITY OF BELLEVILLE, ILLINOIS
ORDINANCE AND LEGAL REVIEW COMMITTEE
FEBRUARY 9, 2021 5:30 PM
VIA TELECONFERENCE

Alderman Wigginton called the meeting to order.

Aldermen present on roll call: Alderman Hazel, Alderman Pusa, Alderman Randle, Alderwoman Stiehl and Alderman Wigginton.

Staff Present: Mayor Eckert, City Clerk Meyer, City Attorney Hoerner, City Treasurer Hardt, RCDS Director Annissa McCaskill.

PUBLIC PARTICIPATION

None.

MINUTES

Alderwoman Stiehl made a motion seconded by Alderman Randle to accept the minutes of October 13, 2020.

Members voting aye on roll call: Hazel, Pusa, Randle, Stiehl, Wigginton, Mayor Eckert. (6)

UNFINISHED BUSINESS

Alderman Randle asked if there is an update regarding the fence issue in terms of when Code will be matched across the various ordinances; RCDS Director Annissa McCaskill advised she is working with the Building Commissioner and bring back to this committee in March.

MISCELLANEOUS & NEW BUSINESS

Possible motion to amend Title XV (Land Usage), Chapter 162 (Zoning), Section 162.263 (Special Uses) regarding liquor establishment Classes A, B, C, D and F

Mayor Eckert advised this is something he and Erin Clifford discovered. Mayor Eckert advised D and F should be included so limits will apply where they will be allowed to open.

City Attorney Hoerner stated currently under Section 162.263 have A,B,C as special uses so 162.263 Subpart (A) would simply be amended to add D and F.

Alderman Randle made a motion seconded by Alderman Pusa to approve amending Title XV (Land Usage), Chapter 162 (Zoning), Section 162.263 (Special Uses) regarding liquor establishment Classes A, B, C, D and F

Members voting aye on roll call: Hazel, Pusa, Randle, Stiehl, Wigginton, Mayor Eckert. (6)

Possible motion to amend Title XI (Business Regulations), Chapter 123 (Business Regulations), Section 123.007 (Adult-Use Cannabis Cultivation Center) and Section 123.008 (Adult-Use Cannabis Dispensing Organization).

RCDS Director Annissa McCaskill advised there are two amendments that are being brought to the committee in hopes it will be forwarded to City Council for amendment.

- (1) Amendment to the number of Adult-Use Cannabis Cultivation Centers. Basically, the types of entities that can grow cannabis within the City. Currently our Code only allows for one and proposal is to amend the section of the Code referenced to allow two. Specifically, because they have been advised there is interest by another entity to be able to do so. The City has enough property for two Adult-Use Cannabis Cultivation centers.

This must be in a commercial or industrial zone. There are distances that must be maintained from schools, churches.

Discussion...

Alderman Randle asked given the limitations on the size of the City just how many Cultivation Centers would we be permitted to have; RCDS Director Annissa McCaskill advised according to state statutes they must be at least five (5) miles from each other. It will depend on where they are located.

- (2) RCDS Director Annissa McCaskill stated regarding the Adult-Use Cannabis Dispensing Organization – recreational dispensaries are now in the State of Illinois. Initially the City originally had it at 1000 feet and dropped it down to 500 feet and now the City is asking the committee to consider 450 feet from the property line of a pre-existing area zoned for residential use.

360 Greenmount Road which is formerly the Bank of Edwardsville at the intersection of Greenmount and Mascoutah Road is a location of interest. This is zoned appropriately. Currently you must be 500 feet from the property boundary. The location where someone would like to put a dispensary on that site the closest home is 959 feet from the boundary of the possible location, but the zoned residential area is 500.

The City is bringing to the committee the ability to lower the distance required to 450 feet from a pre-existing area zoned for residential use.

Discussion...

Mayor Eckert asked if this can be changed to the nearest residence; RCDS Director Annissa McCaskill advised you can change the language to 400 feet from the closest residence this would move forward with the dispensary. City Attorney Hoerner stated the distance from a residence changes more often than a zoning classification he recommended keeping it as is and not waive the variance and simply reduce the number of feet.

October 13, 2020

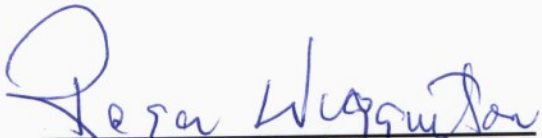
Alderwoman Stiehl made a motion seconded by Alderman Pusa to amend Title XI (Business Regulations), Chapter 123 (Business Regulations), Section 123.007 (Adult-Use Cannabis Cultivation Center (two (2) locations)) and Section 123.008 (Adult-Use Cannabis Dispensing Organization (decreased from 500 feet of the property line of a pre-existing area zoned for residential to 400 feet))

Members voting aye on roll call: Hazel, Pusa, Randle, Stiehl, Wigginton, Mayor Eckert. (6)

ADJOURNMENT

Alderman Randle made a motion seconded by Alderwoman Stiehl to adjourn the meeting at 6:02 p.m.

Members voting aye on roll call: Hazel, Pusa, Randle, Stiehl, Wigginton, Mayor Eckert. (6)


Alderman Roger Wigginton, Chairman