

CITY OF COLUMBIA, ILLINOIS
ORDINANCE NO. 3523

**AN ORDINANCE AMENDING SECTIONS 17.04.030, 17.26.030, AND 17.56.020 OF THE
COLUMBIA MUNICIPAL CODE**

WHEREAS, the City of Columbia (“City”), Monroe and St. Clair Counties, Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the City Council previously adopted Title 17 of the Columbia Municipal Code as the City of Columbia Zoning Code, thereby regulating the development and use of land within Columbia’s corporate limits; and

WHEREAS, the Columbia Plan Commission conducted a public hearing about the proposed text amendments on June 8, 2020, and after due consideration recommended approval of the proposed amendments as submitted; and

WHEREAS, the City Council believes it is in the best interest of the City, and now desires to amend Section 17.04.030 “Definitions” and Section 17.56.020 “Permitted uses and uses allowed only by special use permit (in the CP zoning district)” to regulate cannabis-related land uses in Columbia; and

WHEREAS, the City Council believes it is in the best interest of the City, and now desires to amend Section 17.26.030 “Conditions of use (in the C-1 zoning district)” to modify the regulations for the C-1 Neighborhood Business zoning district.

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Columbia, as follows:

Section 1. The preceding recitations in the upper part of this Ordinance are realleged, restated and adopted as paragraph one (“1”) of this Ordinance.

Section 2. The Mayor and City Council hereby adopts the recommendation of the Columbia Plan Commission, as described in the above recitals.

Section 3. The following definitions shall be added in alphabetical order to **Section 17.04.030** “Definitions” of the Columbia Municipal Code:

“Cannabis Dispensary means a facility operated by a cannabis dispensing organization licensed as such by the Illinois Department of Financial and Professional Regulation to acquire cannabis from a legal source for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds,

paraphernalia, or related supplies in accordance with Illinois state laws governing the adult and medical use of cannabis.”

“Disallowed Cannabis Use means cannabis-related uses licensed for operation by the Illinois Department of Agriculture or other Illinois state agency, with the exception of Cannabis Dispensaries. Includes, but is not limited to Cannabis Craft Growers, Cannabis Cultivation Centers, Cannabis Processors, and Cannabis Transporters.”

Section 4. The following shall be added as a permitted use to **Section 17.56.020(A-1)** “Permitted uses” of the Columbia Municipal Code: “Cannabis Dispensaries.”

Section 5. The following shall be added to **Section 17.56.020** “Commercial park (CP) zoning district created – Permitted uses and uses allowed only by special use permit” of the Columbia Municipal Code:

“K. Criteria for Establishing Cannabis Dispensaries.

1. At the time a cannabis dispensary is established, it shall be located no farther than one (1) mile from an interstate highway, as measured between the closest points of the interstate edge of pavement and dispensary property boundary.

2. At the time a cannabis dispensary is established, it shall be located at least 2,500 feet from public and private schools teaching pre-kindergarten through twelfth (12th) grade, as measured between the closest points of the school property boundary and dispensary property boundary.”

Section 6. **Section 17.26.030** “Conditions of use (for the C-1 zoning district)” of the Columbia Municipal Code shall be changed as follows:

Sections 17.26.030(B) shall be deleted in its entirety and replaced with:

“B. Restaurants, tea rooms, and cafés shall be allowed outdoor seating, service, and/or designated smoking areas, provided they shall not be located within 50 feet of a property parcel used for residential purposes or zoned for residential uses (R-1 through R-7 zoning districts). Such outdoor areas located in yards that adjoin residential properties shall not be used or occupied later than 9:30 p.m. daily.”

Sections 17.26.030(C) shall be deleted in its entirety and replaced with:

“C. Establishments of the drive-in or drive-thru type are not permitted, unless expressly allowed herein as a listed permitted use or special use.”

The following shall be added as **Section 17.26.030(G)**:

“G. The amplification of music, voice, or other sounds is prohibited in outdoor locations. Likewise, sounds shall not be amplified from within a structure in such a manner to be deliberately heard in an outdoor location (i.e. through an open door or window) or to be heard beyond the property boundaries.”

Section 7. This Ordinance shall take full force and effect immediately upon passage by the Corporate Authorities.

PASSED by the City Council and **APPROVED** by the Mayor of the City of Columbia, Illinois and deposited and filed in the office of the City Clerk on the 15th day of June, 2020, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Holtkamp, Martens, and Riddle.

NOES: None.

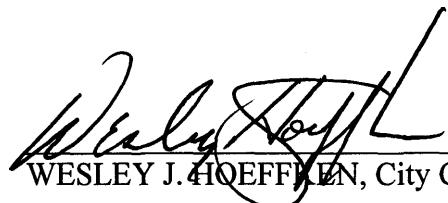
ABSTENTIONS: None.

ABSENT: None.

APPROVED:


KEVIN B. HUTCHINSON, Mayor

ATTEST:


WESLEY J. HOEFFKEN, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

I, Wesley J. Hoeffken, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois and as such I am the keeper of the books, records, files and seal of said City.

I do further certify that Ordinance No. 3523, entitled:

**“AN ORDINANCE AMENDING SECTIONS 17.04.030,
17.26.030, AND 17.56.020 OF THE COLUMBIA
MUNICIPAL CODE”**

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the City of Columbia, Illinois City Council held on the 15th day of June, 2020.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 15th day of June, 2020.

of June, 2020.

WESLEY J. HOEFTKEN, City Clerk

(SEAL)