
THE CITY OF ROCHELLE
Ogle County, Illinois

ORDINANCE
NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW LIGHTHOUSE
DISPENSING COMPANY, LLC TO OPERATE AN ADULT USE CRAFT GROWER
FACILITY AT 501 TIMBER LANE, ROCHELLE, ILLINOIS**

JOHN BEARROWS, Mayor
SUE MESSER, City Clerk

TOM McDERMOTT
BIL HAYES
KATE SHAW-DICKEY
DAN McDERMOTT
JOHN GRUBEN
DON BURKE
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
Peterson, Johnson, and Murray Chicago, LLC, City Attorneys
200 W. Adams, Suite 2125, Chicago, IL 60606

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WHEREAS, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

WHEREAS, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

WHEREAS, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

WHEREAS, on May 4, 2020 the Planning and Zoning Commission of the City of Rochelle conducted a public hearing on Petition #02-20 relative to a request submitted by Lighthouse Dispensing Company, LLC (“Petitioner”), for a Special Use to allow for the Petitioner to operate as an Adult Use Cannabis Craft Grower at 201 Timber Lane, Rochelle, Illinois (“Property”); and

WHEREAS, Sections 74-36 and 110-73 of the City of Rochelle Zoning Code allows the Planning and Zoning Committee to conduct hearings for special use petitions submitted to the City and to submit a report with its recommendations to the City Council for its consideration; and

WHEREAS, the proposed Craft Grower facility complies with the requirements of Sections 110-291 and 110-753 of the City Code; and

WHEREAS, City Staff has recommended the authorization of a Special Use to allow for the Petitioner to operate as an Adult Use Cannabis Craft Grower at 501 Timber Lane, Rochelle, Illinois, Illinois; and

WHEREAS, after hearing testimony on the Petition, the Planning and Zoning Commission found that the Petition met the requisite standards enumerated in the City Code for

the granting of a Special Use and adopted the written factual justifications submitted by the Petitioner; and

WHEREAS, the Planning and Zoning Commission voted 7-0 in favor of recommending to the City Mayor and City Council the Special Use to allow for the Petitioner to operate as an Adult Use Cannabis Craft Grower at 501 Timber Lane, Rochelle, Illinois; and

WHEREAS, it has been determined by the Mayor and City Council of the City of Rochelle that it is in the best interest of the City and its residents to adopt the findings and recommendations of the Planning and Zoning Commission and to approve said Special Use.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCHELLE, OGLE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: The Special Use set forth herein below shall be applicable to the following described property:

See Legal Description attached hereto as Exhibit A

(Commonly known as 501 Timber Lane, Rochelle, Illinois)

SECTION 3: A Special Use permit is hereby granted to the Petitioner/Owner to allow for the Petitioner to operate as an Adult Use Cannabis Craft Grower at 501 Timber Lane, Rochelle, Illinois subject to the following condition:

1. That Petitioner receives an Adult Use Craft Grower's license from the Illinois Department of Agriculture.
2. That Petitioner is and maintains compliance with all applicable laws and regulations pertaining to Adult Use Craft Growers in the State of Illinois.

SECTION 4: Any policy, resolution or ordinance of the City that conflicts with the provisions of this Ordinance shall be and is hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 11th day of May, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 11th day of May, 2020.

CITY MAYOR

ATTEST:

CITY CLERK

EXHIBIT A

Parcel Identification Number 25-31-200-018, and is legally described as:

A certain tract of land situated in the City of Rochelle, County of Ogle, State of Illinois, has a front on the public road of Timber Lane. At a starting point where Timber Lane intersects Caron Road, on the north side of Timber Lane and the East side of Caron Road, the property's Southern boundary runs parallel to Timber Lane for Seven Hundred Sixty-Eight and 20/100 (768.20') feet. From this point, the property's Eastern boundary continues at a Ninety (90) degree angle North for Three Hundred Fifty (350.0') feet. At this point the Northern boundary extends at a Ninety (90) degree angle Nine Hundred Thirty-One and 15/100 (931.15') feet Westward toward Caron Road. The Property's Western border continues Southward at Seventy-Five (75) degrees for a distance of Three Hundred Thirty and 58/100 (330.58') feet until it meets with the starting point at the intersection of Caron Road and Timber Lane at a One Hundred Five (105) degree angle. The total area of the Property is approximately Seven (7) acres. The Property is currently vacant of any buildings or thoroughfares.

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. _____, “AN ORDINANCE GRANTING A SPECIAL USE TO ALLOW LIGHTHOUSE DISPENSING COMPANY, LLC TO OPERATE AN ADULT USE CRAFT GROWER FACILITY AT 501 TIMBER LANE, ROCHELLE, ILLINOIS” which was adopted by the Mayor and City Council of the City of Rochelle on May 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 11th day of May, 2020.

CITY CLERK