

DEFERRED AGENDA

COMMITTEE ON ZONING, LANDMARKS & BUILDING STANDARDS

JULY 29, 2014 - 3:00 PM

MA-171 (MAYORAL APPLICATION) ORDINANCE REFERRED (11-26-13)

DOCUMENT # O2013-9188

To amend Title 7 and Title 17 of the Municipal Code and associated code provisions in regards to **Medical Cannabis**

S U B S T I T U T E
O R D I N A N C E

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Chapter 7-24 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

7-24-099 Possession of cannabis.

(Omitted text is unaffected by this ordinance)

(f) This section shall not apply to possession of medical cannabis by a person in compliance with the Medical Cannabis Pilot Program Act, 410 ILCS 130/1 et seq.

7-24-225 Unlawful drugs in motor vehicle – Impoundment.

(Omitted text is unaffected by this ordinance)

(d) This section shall not apply to the owner of a motor vehicle containing medical cannabis possessed in compliance with the Medical Cannabis Pilot Program Act, 410 ILCS 130/1 et seq.

SECTION 2. Section 17-3-0207 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

17-3-0207 Use Table and Standards.

USE GROUP		Zoning Districts						Use Standard	Parking Standard
Use Category		B1	B2	B3	C1	C2	C3		
	Specific Use Type								
P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed									
RESIDENTIAL									
A. Household Living									
1.	Artist Live/Work Space located above the ground floor	P	P	P	P	P	-		§ 17-10-0207-C

(Omitted text is unaffected by this ordinance)

OTHER									
XX. Wireless Communication Facilities									
1.	Co-located	P	P	P	P	P	P	§ 17-9-0118	None required

2.	Freestanding (Towers)	S	S	S	S	S	S	§ 17-9-0118	None required
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(Omitted text is unaffected by this ordinance)

AAA. Medical Cannabis

1.	<u>Cultivation Center</u>	=	=	=	=	=	=		
2.	<u>Dispensing Organization</u>	=	=	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>§17-9-0129</u>	<u>§17-10-0207-M</u>

(Omitted text is unaffected by this ordinance)

SECTION 3. Section 17-4-0207 of the Municipal Code is hereby amended by adding the language underscored, as follows:

17-4-0207 Use Table and Standards.

USE GROUP		Zoning Districts				Use Standard	Parking Standard
Use Category		DC	DX	DR	DS		
	Specific Use Type						
P = permitted by-right S = special use approval required PD = planned development approval required - = Not allowed							

(Omitted text is unaffected by this ordinance)

OTHER							
XX. Wireless Communication Facilities							
1.	Co-located	P	P	P	P	§ 17-9-0118	None required
2.	Freestanding (Towers)	S	S	S	S	§ 17-9-0118	None required

(Omitted text is unaffected by this ordinance)

AAA. Medical Cannabis							
1.	<u>Cultivation Center</u>	=	=	=	=		
2.	<u>Dispensing Organization</u>	=	<u>S</u>	=	<u>S</u>	<u>§17-9-0129</u>	<u>§17-10-0207-M</u>

(Omitted text is unaffected by this ordinance)

SECTION 4. Section 17-5-0207 of the Municipal Code is hereby amended by adding the language underscored, as follows:

17-5-0207 Use Table and Standards.

USE GROUP		District			Use Standard	Parking Standard
Use Category		M1	M2	M3		
	Specific Use Type					
P= permitted by-right S = special use approval required PD = planned development approval required - = Not allowed						

(Omitted text is unaffected by this ordinance)

OTHER						
JJ. Wireless Communication Facilities						
1.	Co-located	P	P	P	§ 17-9-0118	None required
2.	Freestanding (Towers)	P	P	P	§ 17-9-0118	None required

(Omitted text is unaffected by this ordinance)

LL. Medical Cannabis						
1.	Cultivation Center	<u>S</u>	<u>S</u>	<u>S</u>	<u>§17-9-0129</u>	<u>17-10-0207-U</u>
2.	Dispensing Organization	-	-	-		

(Omitted text is unaffected by this ordinance)

SECTION 5. Section 17-6-0403 of the Municipal Code is hereby amended by adding the language underscored, as follows:

17-6-0403-F Use Table and Standards.

USE GROUP		PMD (Planned Manufacturing District)															Use Standard					
Use Category		No. 1		No. 2		No. 3	No. 4		No. 5	No. 6	No. 7		No. 8	No. 9	No. 10	No. 11		No. 12	No. 13	No. 14	No. 15	
	Specific Use Type	A	B	A	B		A	B			A	B				A						B

(Omitted text is unaffected by this ordinance)

OTHER																					
KK. Signs, Advertising (Billboards)		-	-	-	-	-	-	-	-	-	P	P	P	P	P	S	S	P	P	-	-
LL. Wireless Communication Facilities																					

1.	Co-located	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	§ 17-9-0118
2.	Free-standing (Towers)	P	P	P	P	P	P	P	P	P	S	P	P	P	P	S	P	P	P	P	§ 17-9-0118
(Omitted text is unaffected by this ordinance)																					
NN. Medical Cannabis																					
1.	Cultivation Centers	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	<u>§17-9-0129</u>
2.	Dispensing Organizations	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	

(Omitted text is unaffected by this ordinance)

SECTION 6. Chapter 17-9 of the Municipal Code is hereby amended by adding a new section 17-9-0129, as follows:

17-9-0100 Use standards.

(Omitted text is unaffected by this ordinance)

17-9-0129 Medical Cannabis Dispensing Organizations and Cultivation Centers.
Medical cannabis dispensing organizations and cultivation centers shall not be located in any building, or other structure, that contains a dwelling unit.

(Omitted text is unaffected by this ordinance)

SECTION 7. Chapter 17-10 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

District	Minimum Automobile Parking Ratio (per unit or gross floor area)	Minimum Bike Parking
17-10-0207-A Parking Group A. (Detached Houses, Two-flat, Townhouses)		
RS1 and RS2	2 spaces per unit, provided that off-street parking is not required for detached houses on lots of records that are 33 feet or less in width if the subject lot does not have access to an improved alley and provided further that the Zoning Administrator is authorized to approve an administrative adjustment allowing a minimum of 1 parking space per unit if such reduction will result in more useable open space on the lot (See Sec. 17-13-1003-CC); 1 space per unit for government-subsidized units	None

RS3	2 spaces per unit for detached houses and 1.5 spaces per unit for two-flats, provided that off-street parking is not required for detached houses or two-flats on lots of records that are 33 feet or less in width if the subject lot does not have access to an improved alley and provided further that the Zoning Administrator is authorized to approve an administrative adjustment allowing a minimum of 1 parking space per unit if such reduction will result in more useable open space on the lot (See Sec. 17-13-1003-CC); 1 space per unit for government-subsidized units	None
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(Omitted text is unaffected by this ordinance)

17-10-0207-M Parking Group M. (Retail, Body Art, Eating and Drinking Establishments, Food and Beverage Sales, Participant Sports and Recreation, Fortune Telling, Personal Service, Auto Supply/Accessory Sales, Artist Work or Sales Space, Copying and Reproduction, or Medical Cannabis Cultivation Center or Dispensing Organization)		
B, C, M dash 1, 1.5, 2	Health Clubs: as required by Sec. 4-6-020 of the Municipal Code Participant Sports and Recreation: 1 per 10 persons capacity All other: None for first 4,000 square feet then 2.5 spaces per 1,000 square feet	1 per 5 auto spaces
B, C, M dash 3	Health Clubs: as required by Sec. 4-6-020 of the Municipal Code Participant Sports and Recreation: 1 per 10 persons capacity None for first 10,000 square feet then 2.5 spaces per 1,000 square feet	
B, C, M dash 5	Health Clubs: as required by Sec. 4-6-020 of the Municipal Code Participant Sports and Recreation: 1 per 10 persons capacity None for first 35,000 square feet or 2 × lot area, whichever is greater, then 1.33 spaces per 1,000 square feet	

(Omitted text is unaffected by this ordinance)

SECTION 8. Chapter 17-17 of the Municipal Code of Chicago is hereby amended by adding new sections 17-17-0296.5 and 17-17-0296.7, as follows:

17-17-0200 General Terms.

(Omitted text is unaffected by this ordinance)

17-17-0296 Marquee Sign. A sign incorporated into or attached to a marquee or permanent canopy.

17-17-0296.5 Medical Cannabis Cultivation Center. A facility operated by a person who is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis organizations with usable medical cannabis.

17-17-0296.7 Medical Cannabis Dispensing Organization. A facility operated by a person who is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a medical cannabis cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational material to registered qualifying patients. For purposes of this definition, "qualifying patient" has the meaning ascribed to that term in the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/10.

17-17-0297 Mobility Street. Any street officially designated as a mobility street in accordance with Sec. 17-4-0600.

(Omitted text is unaffected by this ordinance)

SECTION 9. Two recently enacted ordinances, one regulating petcoke passed by the City Council of the City of Chicago (the "City Council") on April 30, 2014 and published at pages 80394 through 80402 of the Journal of Proceedings of the City Council of that date and one regulating firearm dealers passed by the City Council on June 25, 2014 and published at pages _____ through _____ of the Journal of Proceedings of the City Council on that date, inadvertently used the same "YY" designation for tables relating to those respective items. Accordingly, the petcoke-related designations shall remain in the tables as "YY" and the tables relating to firearms are hereby redesignated from "YY" to "ZZ" by struck-through text and underlined text as follows:

17-3-0207 Use Table and Standards.

(Omitted text is unaffected by this ordinance)

OTHER									
XX. Wireless Communication Facilities									
1.	Co-located	P	P	P	P	P	P	§ 17-9-0118	None required
2.	Freestanding (Towers)	S	S	S	S	S	S	§ 17-9-0118	None required
YY <u>ZZ</u> .	Firearms dealer	-	-	-	-	S	S	§17-9-0128	§17-10-0207-M

(Omitted text is unaffected by this ordinance)

17-4-0207 Use Table and Standards.

(Omitted text is unaffected by this ordinance)

OTHER							
XX. Wireless Communication Facilities							
1.	Co-located	P	P	P	P	§ 17-9-0118	None required
2.	Freestanding (Towers)	S	S	S	S	§ 17-9-0118	None required
YY <u>ZZ</u> .	Firearms Dealer	-	-	-	S	§17-9-0128	§17-10-0207-M

(Omitted text is unaffected by this ordinance)

SECTION 10 . This ordinance takes effect upon its passage and approval.