



# City of Chicago



SO2019-6926

Office of the City Clerk

## Document Tracking Sheet

<b>Meeting Date:</b>	9/18/2019
<b>Sponsor(s):</b>	Lightfoot (Mayor) O'Shea (19) Vasquez, Jr. (40)
<b>Type:</b>	Ordinance
<b>Title:</b>	Amendment of Municipal Code Title 17 regarding cannabis-related activities
<b>Committee(s) Assignment:</b>	Committee on Zoning, Landmarks and Building Standards

ZON



OFFICE OF THE MAYOR  
CITY OF CHICAGO

LORI E. LIGHTFOOT  
MAYOR

September 18, 2019

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Planning and Development, I transmit herewith, together with Aldermen O'Shea and Vasquez, an ordinance amending the Zoning Code regarding cannabis-related activities.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in black ink that reads "Lori E. Lightfoot". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Mayor

**SUBSTITUTE**  
**ORDINANCE**

**SECTION 1.** Section 17-3-0200 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language and by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**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									
<i>(Omitted part of this table is unaffected by this ordinance)</i>									
<b>OTHER</b>									
<i>(Omitted part of this table is unaffected by this ordinance)</i>									
<b>AAA. Medical-Cannabis Business Establishments</b>									
4.	<del>Cultivation Center</del>	-	-	-	-	-	-		
1,2.	<del>Adult Use Cannabis Dispensary</del> <u>Dispensing Organization</u>	-	-	-	-	S	S	17-9-0129	17-10-0207-M
2.	<u>Medical Cannabis Dispensary</u>	-	-	-	-	<u>S</u>	<u>S</u>	<u>17-9-0129</u>	<u>17-10-0207-M</u>
3.	<u>On-Site Cannabis Consumption</u>	-	-	-	-	<u>S</u>	<u>S</u>	<u>17-9-0129</u>	<u>17-10-0207-M</u>
4.	<u>Cannabis Craft Grower</u>	-	-	-	-	<u>S</u>	<u>S</u>	<u>17-9-0129</u>	<u>17-10-0207-M</u>
5.	<u>Cannabis Infuser</u>	-	-	-	-	<u>S</u>	<u>S</u>	<u>17-9-0129</u>	<u>17-10-0207-M</u>
6.	<u>Cannabis Processor</u>	-	-	-	-	<u>S</u>	<u>S</u>	<u>17-9-0129</u>	<u>17-10-0207-M</u>
<i>(Omitted part of this table is unaffected by this ordinance)</i>									

**SECTION 2.** Section 17-4-0200 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language and by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**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							
<i>(Omitted part of this table is unaffected by this ordinance)</i>							
<b>OTHER</b>							
<i>(Omitted part of this table is unaffected by this ordinance)</i>							
<b>AAA. Medical-Cannabis Business Establishments</b>							

4.	Cultivation Center	-	-	-	-		
1.2.	Adult Use Cannabis Dispensary/Dispensing Organization	S	S	-	-	17-9-0129	17-10-02087-M
2.	Medical Cannabis Dispensary	S	S	-	-	17-9-0129	17-10-0208
3.	On-Site Cannabis Consumption	S	S	-	-	17-9-0129	17-10-0208
4.	Cannabis Craft Grower	S	S	-	-	17-9-0129	17-10-0208
5.	Cannabis Infuser	S	S	-	-	17-9-0129	17-10-0208
6.	Cannabis Processor	S	S	-	-	17-9-0129	17-10-0208
(Omitted part of this table is unaffected by this ordinance)							

**SECTION 3.** Section 17-5-0200 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language and by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**17-5-0207 Use Table and Standards.**

USE GROUP		Zoning Districts			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 part of this table is unaffected by this ordinance)						
<b>OTHER</b>						
(Omitted part of this table is unaffected by this ordinance)						
<b>LL. Medical-Cannabis Business Establishments</b>						
1.	Cannabis Cultivation Center	-	S	S	17-9-0129	17-10-0207-U
2.	Dispensing Organization	-	-	-		
2.	Cannabis Craft Grower	-	S	S	17-9-0129	17-10-0207-U
3.	Cannabis Infuser	-	S	S	17-9-0129	17-10-0207-U
4.	Cannabis Processor	-	S	S	17-9-0129	17-10-0207-U
(Omitted part of this table is unaffected by this ordinance)						

**SECTION 4.** Section 17-6-0400 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck-through language and by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

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

17-6-0403-F Use Table and Standards.																				
USE GROUP		PMD (Planned Manufacturing District)													Use Standard					
Use Category		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	
				A	B			A	B	A	B			A		B				

P = permitted by right S = special use approval required PD = planned development approval required - = not allowed																				
(Omitted part of this table is unaffected by this ordinance)																				
OTHER																				
NN. Medical Cannabis Business Establishments																				
1.	Cannabis Cultivation Center	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	17-9-0129
2.	Dispensing Organization	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2.	Cannabis Craft Grower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	17-9-0129
3.	Cannabis Infuser	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	17-9-0129
4.	Cannabis Processor	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	17-9-0129
(Omitted part of this table is unaffected by this ordinance)																				

**SECTION 5.** Section 17-7-0100 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language and by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**17-7-0560 Cannabis Zone Districts**

**17-7-0561 Purpose.** Provide for distribution throughout the City of adult use cannabis dispensaries, excluding an area in and around the central business district which, because of its unique character, configuration and intensive pedestrian, tourism and entertainment related traffic, presents a higher level of congestion, public safety, and security concerns. The area in which adult use cannabis dispensaries are prohibited is bounded by the parcels adjacent to the north side of Division Street to the north, Lake Michigan to the east, the parcels adjacent to the south side of Van Buren Street to the south, the South Branch of the Chicago River to the west and the parcels adjacent to the west side of State Street to the west when north of the Main Branch of the Chicago River. The areas described in Section 17-7-0562 of this Code define the Cannabis Zone Districts in which adult use cannabis dispensaries may be established.

**17-7-0562 Boundaries.** The Cannabis Zone Districts are defined and identified, as follows:

North District is bounded by the city limits to the north, Lake Michigan to the east, Division Street to the south and Interstates 90/94 and 94 to the west; provided, however, adult use cannabis dispensaries shall not be allowed within the parcels adjacent to the north side of Division Street.

Central District is bounded by Division Street to the north, Lake Michigan to the east, Interstate 55 to the south (and extended east to Lake Michigan) and Interstates 90/94 to the west; provided, however, *adult use cannabis dispensaries* shall not be allowed within the area bounded by the parcels adjacent to the south side of Division Street to the north, Lake Michigan to the east, the parcels adjacent to the south side of Van Buren Street to the south, the South Branch of the Chicago River to the west and the parcels adjacent to the west side of State Street to the west when north of the Main Branch of the Chicago River.

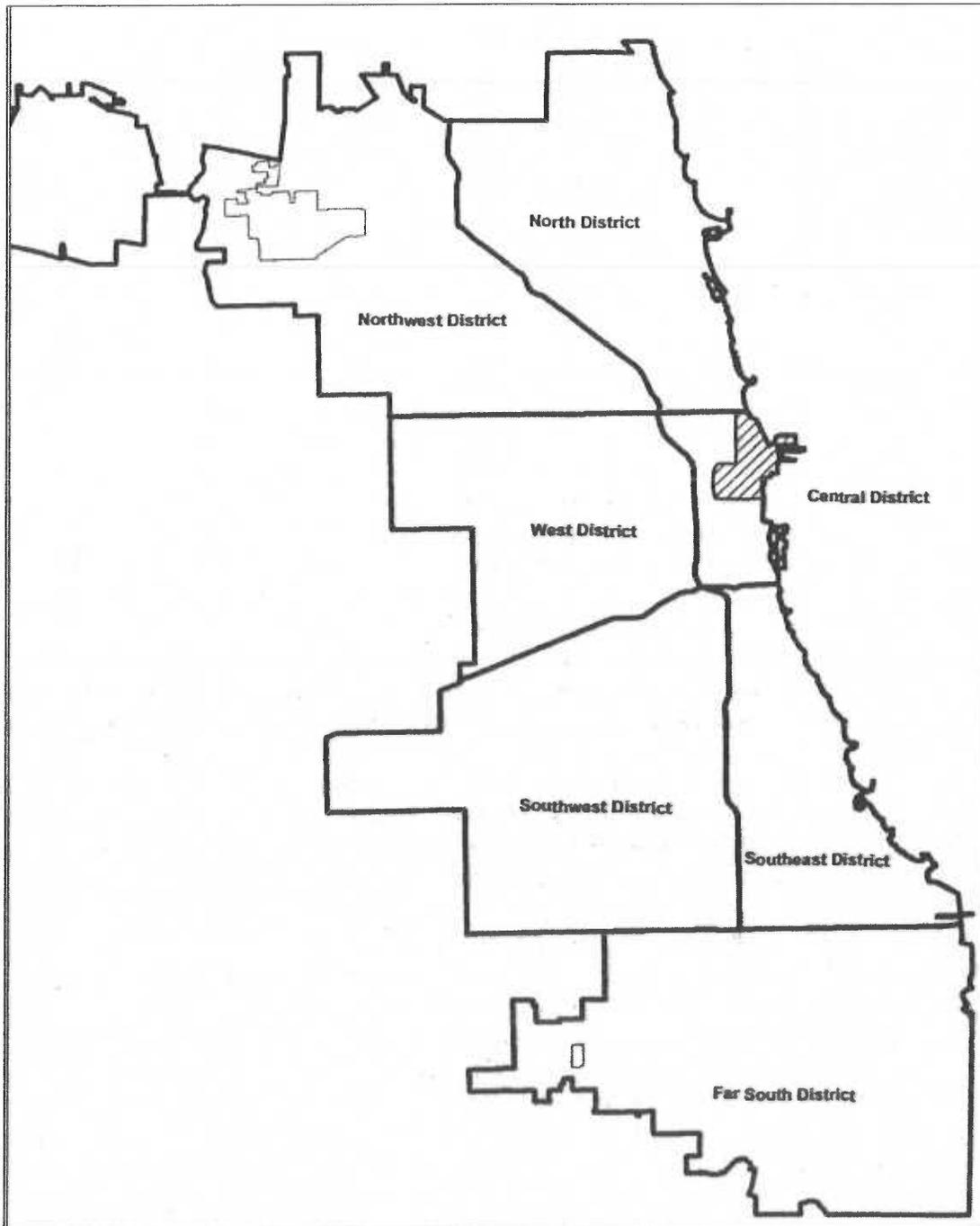
Southeast District is bounded by Interstate 55 to the north (and extended east to Lake Michigan), Lake Michigan to the east, 87<sup>th</sup> Street to the south and Interstates 90/94 and 94 to the west.

Far South District is bounded by 87<sup>th</sup> Street to the north, Lake Michigan to the east and the city limits to the south and west.

Southwest District is bounded by Interstate 55 to the north, Interstates 90/94 and 94 to the east, 87<sup>th</sup> Street to the south and the city limits to the west.

West District is bounded by Division Street to the north, Interstates 90/94 to the east, Interstate 55 to the south and the city limits to the west.

Northwest District is bounded by the city limits to the north, Interstates 90/94 and 94 to the east, Division Street to the south and the city limits to the west.



-  Cannabis Zone District boundaries
-  Adult Use Cannabis Dispensary exclusion zone

(note: this map is provided for illustrative purpose only; Cannabis Zone District and Adult Use Cannabis Dispensary exclusion zone boundaries may be amended only through text amendment procedures)

(Omitted text is unaffected by this ordinance)

**SECTION 6.** Section 17-9-0100 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language and by inserting the underscored language, as follows:

(Omitted text is unaffected by this ordinance)

**17-9-0129 ~~Medical Cannabis Dispensing Organizations and Cultivation Centers~~Cannabis Business Establishments.** ~~Medical cannabis dispensing organizations and cultivation centers~~ Cannabis business establishments shall comply with the following standards:

~~1. Medical cannabis dispensing organizations and cultivation centers shall not be located in any building, or other structure, that contains a dwelling unit.~~

~~2. Medical cannabis dispensing organizations and cultivation centers the services of an Illinois licensed private security agency or an Illinois licensed private security contractor shall be present at medical cannabis dispensing organizations and cultivation centers at all times that they are open to the public, qualifying patients, or designated caregivers.~~

~~3. The loading and unloading of any cannabis or cannabis-infused products shall be conducted under the supervision of an Illinois licensed private security contractor.~~

~~4. Medical cannabis dispensing organizations and cultivation centers shall not be maintained or operated in a manner that causes, creates, or allows the public viewing of any cannabis, cannabis-infused products, cannabis paraphernalia or similar products from any sidewalk, or public or private right-of-way.~~

1. Cannabis craft growers may be allowed to conduct retail sales of cannabis products produced on-site only if such retail sales are reviewed and approved as a special use by the Zoning Board of Appeals. Such retail sales shall not exceed 20% of total floor area or 3,000 square feet, whichever is less, subject to the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) and the State of Illinois' Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.), as well as any state administrative rule promulgated pursuant to these acts. The applicant for such proposed retail sales of cannabis products shall also hold a community meeting, pursuant to Section 17-13-0905-G.

2. The same site location of one adult use cannabis dispensary is permitted by right at any location where a medical cannabis dispensary has been established on or before June 25, 2019. Prior to December 31, 2019, such medical cannabis dispensary operator shall send written notice by USPS first class mail to the property owner of the subject property and to all property owners within 250 feet of the property lines of the subject property stating that as of January 1, 2020, such medical cannabis dispensary is

authorized to sell adult use cannabis at that location. Such *medical cannabis dispensary* operator shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Chairman of the Zoning Board of Appeals on or before December 31, 2019, in a form prescribed by the Commissioner of the Department of Planning and Development. No *medical cannabis dispensary* shall commence dispensing adult use cannabis in its *medical cannabis dispensary* site without complying with the notice requirement provided in this Section.

3. An *adult use cannabis dispensary* shall be located no closer than 500 feet from any *school*; such distance shall be measured on a straight line from the nearest property line of the *school* to the nearest property line of the lot to be occupied by the *adult use cannabis dispensary*.

4. On or after January 1, 2020, no more than seven *adult use cannabis dispensary special uses* may be established in each district identified on the Cannabis Zone Districts map (Figure 17-7-0560) and in Section 17-7-0562 of this Code. On or after May 1, 2020, the number of *adult use cannabis dispensary special uses* may be increased to no more than 14 in any Cannabis Zone District. On or after January 1, 2021, the Commissioner of the Department of Planning and Development is authorized to present to the City Council recommendations for adjustments to the boundaries and terms of the *adult use cannabis dispensary* exclusion zone specified in Section 17-7-0561, the boundaries of the Cannabis Zone Districts or the number of *adult use cannabis dispensary special uses*. Before making such recommendations, the Commissioner shall conduct a land use impact evaluation study which must assess: (i) the boundaries and terms of the *adult use cannabis dispensary* exclusion zone; (ii) the boundaries of the Cannabis Zone Districts; and, (iii) the impact of *adult use cannabis dispensaries* on the neighborhood adjacent to such uses through the evaluation of relevant social, economic and demographic information, including, but not limited to, population, crime, property values, traffic patterns, tourism and commerce. The Commissioner shall post such land use impact evaluation study on the Department's publicly accessible website. Same site located *adult use cannabis dispensaries* established pursuant to Section 17-9-0129.3 of this Code, or the retail sales of cannabis products established pursuant to Section 17-9-0129.2 of this Code, shall be included in counting towards the caps provided in this Section.

5. A *cannabis infuser or cannabis processor* may share enclosed facilities with cannabis craft growing, processing or dispensing organizations, provided all cannabis and currency is separately stored and secured.

6. No *cannabis business establishment* which requires a *special use* may operate in any *planned development* prior to such use being reviewed and approved as a *special use* by the Zoning Board of Appeals.

*(Omitted text is unaffected by this ordinance)*

**SECTION 7.** Section 17-10-0200 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**17-10-0200 Off-street parking ratios.**

*(Omitted text is unaffected by this ordinance)*

District	Minimum Automobile Parking Ratio (per unit or gross floor area)	Minimum Bike Parking
<i>(Omitted part of this table is not affected by this ordinance)</i>		
<b>17-10-0207-M Parking Group M.</b>		
(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 <u>Cannabis Business Establishments, Medical Cannabis Cultivation Center and Dispensing Organization</u> )		
<i>(Omitted part of this table is not affected by this ordinance)</i>		

**SECTION 8.** Section 17-13-0900 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**17-13-0905-G Community Meeting.** Before a public hearing is held by the Zoning Board of Appeals, as provided for in Section 17-13-0904, to consider a special use application for a cannabis business establishment, the applicant must hold at least one community meeting in the ward in which the cannabis business establishment is proposed to be located for the purpose of explaining the proposal and soliciting comments on it. Such community meeting must be held no later than two weeks prior to the date of the anticipated special use hearing before the Zoning Board of Appeals; notice for such community meeting must be issued, pursuant to this Section, no later than two weeks prior to such community meeting. The applicant must notify the Chairman of the Zoning Board of Appeals and the Alderman of the ward in which the cannabis business establishment is proposed to be located in writing of the time, place and purpose of the community meeting. The applicant must publish notice of the community meeting in a newspaper of general circulation within the ward and the applicant must send written notice by USPS first class mail to the property owner of the subject property and to all property owners within 250 feet of the property lines of the subject property. Such applicant shall furnish a complete list of the names and last known addresses of the persons provided with such written notice as well as a written affidavit certifying compliance with such written notice to the Chairman of the Zoning Board of Appeals on or before the public hearing is held by the Zoning Board of Appeals, in a form prescribed by the Commissioner of the Department of Planning and Development. No special use application for a cannabis business establishment may be approved unless the Zoning Board of Appeals finds that the special use criteria of this Section has been satisfied.

*(Omitted text is unaffected by this ordinance)*

**SECTION 9.** Section 17-14-0300 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**17-14-0303-F** In order to further the purpose stated in Section 17-7-0561 of this Code, the Chairman of the Zoning Board of Appeals is authorized to conduct one or more lotteries to allocate the opportunity for *special use* applications for *adult use cannabis dispensaries* to be heard by the Zoning Board of Appeals. The Chairman of the Zoning Board of Appeals is authorized to promulgate rules for the implementation of this Section.

**17-14-0303-G** In addition to the requirements of Chapter 2-154 of this Code, the Chairman of the Zoning Board of Appeals may require any such additional information from any applicant which is reasonably intended to achieve full disclosure relevant to their associated application under consideration by the Zoning Board of Appeals.

**17-14-0303-H** Subject to applicable law, *cannabis business establishments* shall include, as a part of any *special use* application to the Zoning Board of Appeals, copies of all information submitted to the State of Illinois in application for a license to operate under the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) or the State of Illinois' Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.).

**17-14-0303-I** Upon the Office of the City Clerk receiving a legally sufficient petition that complies with Section 55-28 of the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 705/55-28) requesting the creation of a Restricted Cannabis Zone, as defined in said Section, for the prohibition of one or more types of *cannabis business establishments*, there shall be a 90-day stay of applicable prospective and pending *special use* applications, and all other associated proceedings, before the Zoning Board of Appeals.

*(Omitted text is unaffected by this ordinance)*

**SECTION 10.** Section 17-17-0100 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language and by inserting the underscored language, as follows:

*(Omitted text is unaffected by this ordinance)*

**17-17-0106 Other Uses Group.** The Other Uses Group includes the following ~~two~~ Use Categories:

*(Omitted text is unaffected by this ordinance)*

**17-17-0106-B 0105-G Coke & Coal Bulk Material.**

*(Omitted text is unaffected by this ordinance)*

**17-17-0106-C 0254.5 Firearms Dealer.**

*(Omitted text is unaffected by this ordinance)*

**17-17-0106-D 0105-H Manganese-bearing material and related terms**

*(Omitted text is unaffected by this ordinance)*

**17-17-0106-E Cannabis Business Establishments**

1. Cannabis Business Establishments. A cannabis craft grower, cannabis cultivation center, adult use cannabis dispensary, medical cannabis dispensary, cannabis infuser or cannabis processor licensed by the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) or the State of Illinois' Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.) and administrative rules promulgated thereunder.

2. Cannabis Cultivation Center. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport or perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments.

3. Adult Use Cannabis Dispensary. A facility operated by a person who is registered by the Illinois Department of Financial and Professional Regulation to acquire adult use cannabis from cannabis business establishments for the purpose of dispensing cannabis pursuant to and in accordance with the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) and administrative rules promulgated thereunder.

4. Medical Cannabis Dispensary. A facility operated by a person who is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from cannabis cultivation centers, or, subject to applicable law, any cannabis business establishment, for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational material to registered qualifying patients. For purposes of this definition, "Qualified patient" has the meaning ascribed to that term in the State of Illinois' Compassionate Use of Medical Cannabis Program Act (410 ILCS 130/1 et seq.).

5. On-site Consumption. Consumption of adult use or medical cannabis in or at a business establishment licensed by the City to allow on-site consumption of such

cannabis.

6. Cannabis Craft Grower. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to perform necessary activities to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a registered *cannabis dispensary* or for use at a *cannabis processing facility*.

7. Cannabis Infuser. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product for sale at a registered *cannabis dispensary*.

8. Cannabis Processor. A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product for sale at a registered *cannabis dispensary*.

*(Omitted text is unaffected by this ordinance)*

**SECTION 11.** Section 17-17-0200 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting the struck through language, as follows:

*(Omitted text is unaffected by this ordinance)*

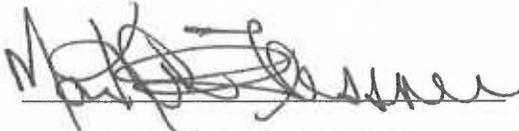
~~17-17-0296.5 **Medical Cannabis Cultivation Center.** A facility operated by a person who is registered by the Illinois Department of Financial and Professional Regulation to perform necessary activities to provide only registered with usable medical cannabis.~~

~~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.~~

*(Omitted text is unaffected by this ordinance)*

**SECTION 12.** This ordinance shall take effect upon its passage and approval.

APPROVED

  
CORPORATION COUNSEL

DATED: 10/17/19

APPROVED

  
MAYOR

DATED: 10/17/19