



City of Chicago



SO2021-3249

Office of the City Clerk

Document Tracking Sheet

Meeting Date: 7/21/2021

Sponsor(s): Lightfoot (Mayor)

Type: Ordinance

Title: Amendment of Municipal Code Chapters 17-3, 17-4, 17-5, 17-7, 17-9 and 17-14 regarding standards and requirements for cannabis-related establishments

Committee(s) Assignment: Committee on Zoning, Landmarks and Building Standards

SUBSTITUTE
ORDINANCE

WHEREAS, The City of Chicago adopted a zoning ordinance for cannabis business establishments in a slow and gradual manner; and

WHEREAS, The City's zoning regulations for the first phase of such establishments was adopted with the intention to revise the zoning regulations as cannabis business laws continued to evolve at state level; and

WHEREAS, Previously, there were no social equity cannabis dispensaries eligible to operate in the City. However, it is anticipated that there will now be 119 such dispensaries eligible to operate in the Chicago-Naperville-Elgin BLS Region; and

WHEREAS, This ordinance increases the areas available in the City for the location of cannabis business establishments, ensuring that social equity cannabis businesses would be able to operate in the City; now, therefore,

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

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>									
OTHER									
<i>(Omitted part of this table is unaffected by this ordinance)</i>									
AAA. Cannabis Business Establishments									
1.	Adult Use Cannabis Dispensary	-	-	-	<u>S</u>	S	S	17-9-0129	17-10-0207-M
2.	Medical Cannabis Dispensary	-	-	-	<u>S</u>	S	S	17-9-0129	17-10-0207-M
3.	Cannabis Craft Grower	-	-	-	<u>S</u>	S	S	17-9-0129	17-10-0207-M
4.	Cannabis Infuser	-	-	-	<u>S</u>	S	S	17-9-0129	17-10-0207-M
5.	Cannabis Processor	-	-	-	<u>S</u>	S	S	17-9-0129	17-10-0207-M
<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>							
OTHER							
<i>(Omitted part of this table is unaffected by this ordinance)</i>							
AAA. Cannabis Business Establishments							
1.	Adult Use Cannabis Dispensary	S	S	-	<u>S</u>	17-9-0129	17-10-0208
2.	Medical Cannabis Dispensary	S	S	-	<u>S</u>	17-9-0129	17-10-0208
3.	Cannabis Craft Grower	S	S	-	<u>S</u>	17-9-0129	17-10-0208
4.	Cannabis Infuser	S	S	-	<u>S</u>	17-9-0129	17-10-0208
5.	Cannabis Processor	S	S	-	<u>S</u>	17-9-0129	17-10-0208
<i>(Omitted part of this table is unaffected by this ordinance)</i>							

SECTION 3. Section 17-5-0200 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)

17-5-0207 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						
<i>(Omitted part of this table is unaffected by this ordinance)</i>						
OTHER						
<i>(Omitted part of this table is unaffected by this ordinance)</i>						
LL. Cannabis Business Establishments						
1.	Cannabis Cultivation Center	-	<u>P/S</u>	<u>P/S</u>	17-9-0129	17-10-0207-U
2.	Cannabis Craft Grower	-	<u>P/S</u>	<u>P/S</u>	17-9-0129	17-10-0207-U
3.	Cannabis Infuser	-	<u>P/S</u>	<u>P/S</u>	17-9-0129	17-10-0207-U
4.	Cannabis Processor	-	<u>P/S</u>	<u>P/S</u>	17-9-0129	17-10-0207-U
<i>(Omitted part of this table is unaffected by this ordinance)</i>						

SECTION 4. 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 Adult Use Cannabis Dispensary Exclusion Zone Districts

17-7-0561 Purpose. ~~Provide for distribution throughout the City of *adult use cannabis dispensaries*, excluding~~ To exclude 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 Exclusion Zone Boundaries. The area in which *adult use cannabis dispensaries* are prohibited is bounded by the parcels adjacent to the following area: beginning at the intersection of the west side of State Street and the north side of Division Street; then east on the north side of Division street to the east side of Michigan Avenue; then south on the east side of Michigan Avenue to the north side of Ohio Street; then east on the north side of Ohio Steet extended to Lake Michigan; then south along the shoreline of Lake Michigan to the south side of Illinois Street extended; then west on the south side of Illinois Street extended to the east side of Michigan Avenue; then south on the east side of Michigan Avenue to the south side of 16th Street; then west on the south side of 16th Street to the west side of Michigan Avenue; then north on the west side of Michigan Avenue to the south side of Van Buren Street; then west on the south side of Van Buren Street to the west side of State Street; then north on the west side of State Street to the place of beginning.

~~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, 87th Street to the south and Interstates 90/94 and 94 to the west.~~

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

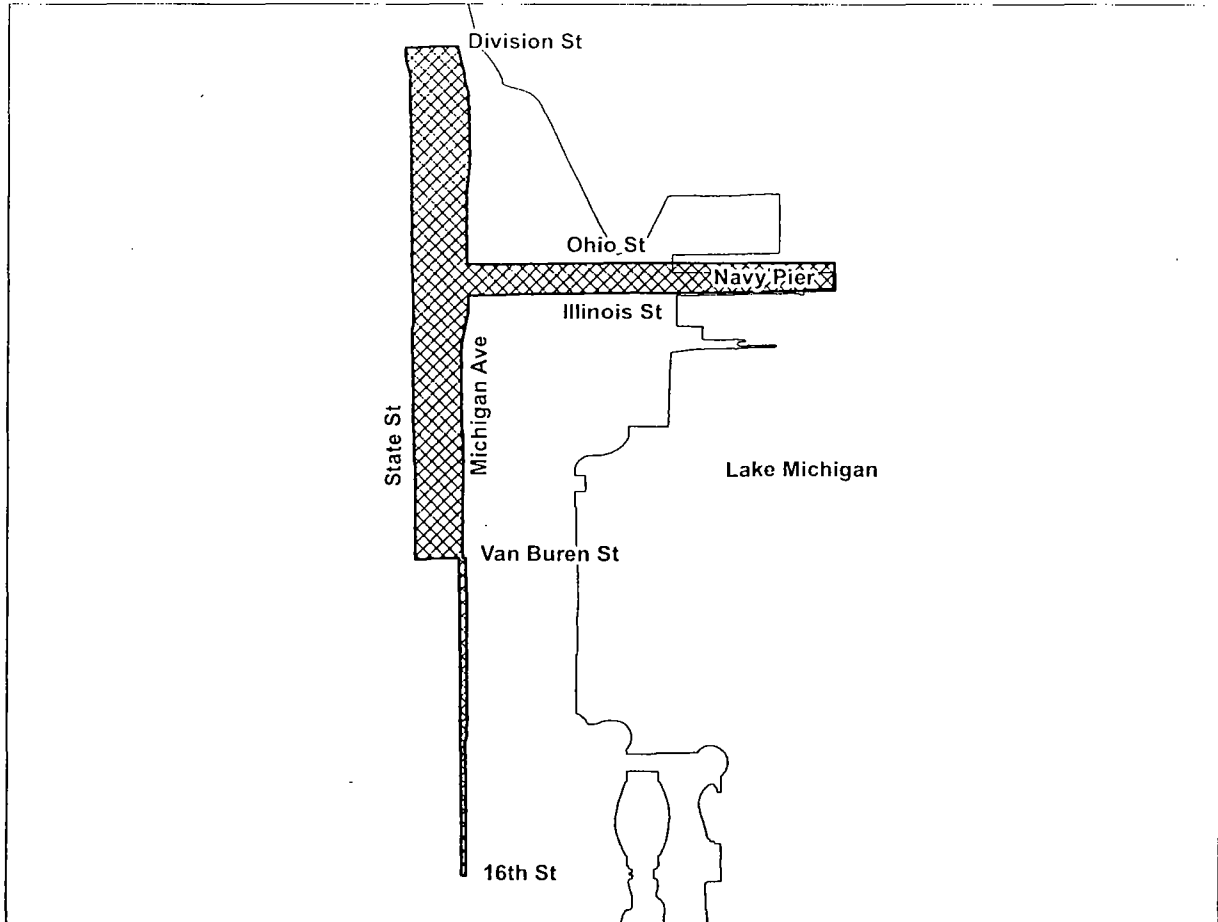
~~Southwest District is bounded by Interstate 55 to the north, Interstates 90/94 and 94 to the east, 87th Street to the south and the city limits to the west.~~

~~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.~~

SECTION 5. Section 17-7-0100 of Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by deleting Figure 17-7-0560 in its entirety and by replacing it with a new Figure 17-7-05560, as follows:

Figure 17-7-0560



- 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 Cannabis Business Establishments. *Cannabis business establishments* shall comply with the following standards:

(Omitted text is unaffected by this ordinance)

~~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.~~

45. 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.

56. 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.

6. A *cannabis cultivation center, cannabis craft grower, cannabis infuser or cannabis processor* is a permitted use by-right in "M2" and "M3" districts if such use is located more than 660 feet from any residential district. Special use approval is required for a *cannabis cultivation center, cannabis craft grower, cannabis infuser or cannabis processor* in "M2" and "M3" districts when such use is located within 660 feet of any residential district.

(Omitted text is unaffected by this ordinance)

SECTION 7. Section 17-14-0300 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)

~~17-14-0303-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-FG 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-GH 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-HI 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 8. This ordinance shall take effect upon its passage and approval.