

ZONING

3/20/24

**ORDINANCE**

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

**SECTION 1.** Section 17-3-0207 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, 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									
<i>(Omitted text is unaffected by this ordinance)</i>									
AAA. Cannabis Business Establishments									
1.	Adult Use Cannabis Dispensary	-	-	-	S <sub>-</sub> *	S <sub>-</sub> *	S <sub>-</sub> *	§17-9-0129	§17-10-0207-M
2.	Medical Cannabis Dispensary	-	-	-	S <sub>-</sub> *	S <sub>-</sub> *	S <sub>-</sub> *	§17-9-0129	§17-10-0207-M
3.	Cannabis Craft Grower	-	-	-	S <sub>-</sub> *	S <sub>-</sub> *	S <sub>-</sub> *	§17-9-0129	§17-10-0207-M
4.	Cannabis Infuser	-	-	-	S <sub>-</sub> *	S <sub>-</sub> *	S <sub>-</sub> *	§17-9-0129	§17-10-0207-M
5.	Cannabis Processor	-	-	-	S <sub>-</sub> *	S <sub>-</sub> *	S <sub>-</sub> *	§17-9-0129	§17-10-0207-M
<i>(Omitted text is unaffected by this ordinance)</i>									
<u>*.Pursuant to Section 17-9-0129(1), cannabis business establishments in a certain area delineated in Section 17-9-0129 (1) must be reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302 instead of the special use procedures</u>									

**SECTION 2.** Section 17-4-0207 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**17-4-0207 Use Table and Standards.**

USE GROUP		Zoning District				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 text is unaffected by this ordinance)</i>							
<b>AAA. Cannabis Business Establishment</b>							
1.	Adult Use Cannabis Dispensary	S <sub>-</sub> *	S <sub>-</sub> *		S <sub>-</sub> *	§17-9-0129	§17-10-0208
2.	Medical Cannabis Dispensary	S <sub>-</sub> *	S <sub>-</sub> *		S <sub>-</sub> *	§17-9-0129	§17-10-0208
3.	Cannabis Craft Grower	S <sub>-</sub> *	S <sub>-</sub> *		S <sub>-</sub> *	§17-9-0129	§17-10-0208
4.	Cannabis Infuser	S <sub>-</sub> *	S <sub>-</sub> *		S <sub>-</sub> *	§17-9-0129	§17-10-0208
5.	Cannabis Processor	S <sub>-</sub> *	S <sub>-</sub> *		S <sub>-</sub> *	§17-9-0129	§17-10-0208
<i>(Omitted text is unaffected by this ordinance)</i>							
<u>* Pursuant to Section 17-9-0129(1), cannabis business establishments in a certain area delineated in Section 17-9-0129 (1) must be reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302 instead of the special use procedures.</u>							

**SECTION 3.** Section 17-5-0207 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, 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)						
LL. Cannabis Business Establishment						
1.	Cannabis Cultivation Center	-	P/S*	P/S*	§17-9-0129	§17-10-0208
2.	Cannabis Craft Grower	-	P/S*	P/S*	§17-9-0129	§17-10-0208
3.	Cannabis Infuser	-	P/S*	P/S*	§17-9-0129	§17-10-0208
4.	Cannabis Processor	-	P/S*	P/S*	§17-9-0129	§17-10-0208
(Omitted text is unaffected by this ordinance)						
* Pursuant to Section 17-9-0129(1), <u>cannabis business establishments in a certain area delineated in Section 17-9-0129 (1) must be reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302 instead of the special use procedures.</u>						

**SECTION 4.** Section 17-9-0129 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, and by deleting the language struck through, as follows:

**17-9-0129 Cannabis business establishments.** Cannabis business establishments shall comply with the following standards:

1. Notwithstanding any other provisions of this Zoning Ordinance, cannabis business establishments to be located on property within the area bounded by Division Street, Lake Michigan, Roosevelt Road, and Halsted Street, are authorized only if reviewed and approved in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302, or the planned development procedures of Section 17-13-0600 (if the project otherwise qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600) instead of the special use procedures of Section 17-13-0900. In addition to all other applicable legal requirements, any Type I application or planned development application for a cannabis business establishment shall be processed in compliance with Section 55-28 of the State of Illinois' Cannabis Regulation and Tax Act (410 ILCS 70/55-28). Any cannabis business establishment to be located not within the area bounded by Division Street, Lake Michigan, Roosevelt Road, and Halsted Street, requires special use approval in accordance with Section 17-13-0900 unless permitted under subsection (6) or located within a planned development specifically authorizing such use.

42. 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, or as specifically authorized in a planned development (if the project otherwise qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600); provided, however, that if the subject property is located within the area bounded

by Division Street, Lake Michigan, Roosevelt Road, and Halsted Street, then in lieu of review and approval as a *special use* such retail sales shall be reviewed in accordance with the Type I Zoning Map Amendment procedures of Section 17-13-0302, or the planned development procedures of Section 17-13-0600 (if the project otherwise qualifies as a mandatory or elective planned development under Sections 17-8-0500 or 17-8-0600). 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 cannabis products retail sales of cannabis products required under this subsection to be reviewed and approved pursuant to a *special use* procedures shall also hold a community meeting, pursuant to Section 17-13-0905-G, and the applicant for such proposed retail sales of cannabis products required under this subsection to be reviewed and approved under the Type I Zoning Map Amendment procedure or planned development procedures, shall also hold a community meeting pursuant to subsection (7) of this section.

~~— 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*. Notwithstanding the foregoing, if a proposed *adult use cannabis dispensary* is to be located within the area bounded by Division Street, Lake Michigan, Roosevelt Road, and Halsted Street, then the limitation as to the required distance from a *school* shall be 500 feet or such lesser distance as established in the Type I Zoning Map Amendment or a *planned development authorizing such use*.

4. 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.

5. A *cannabis business establishment* located within a *planned development* that specifically authorizes such use shall not be required to secure a *special use* or Type 1 map amendment, 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.

7. When a cannabis business establishment requires review and approval as a Type 1 zoning map amendment or is to be reviewed and approved as a planned development, then before a public hearing is held before the City Council Committee on Zoning, Landmarks and Building Standards to consider a Type I application or before a public hearing before the Chicago Plan Commission for a planned development application, 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 public hearing before the Committee on Zoning, Landmarks and Building Standard or Chicago Plan Commission, as applicable, and notice of such community meeting must be provided pursuant to this section no later than two weeks prior to such community meeting. The applicant must notify in writing the Chair of the Committee on Zoning, Landmarks and Building Standards or the Chair of the Chicago Plan Commission, as applicable, and the Alderperson of the ward in which the cannabis business establishment is proposed to be located in writing of the time, place, and purpose of such 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 of such meeting in accordance with the applicable written notice requirements of Section 17-13-0107-A. No Type I Zoning Map amendment or planned development to establish a cannabis business establishment may be approved unless the Committee on Zoning Landmarks and Building Standards finds that the criteria of this section have been satisfied. When a special use is required the community meeting shall be held in accordance with Section 17-13-0905-G.

**SECTION 5.** Section 17-13-0302-A of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

**17-13-0302-A Type 1.**

1. A Type 1 application is required for proposals:

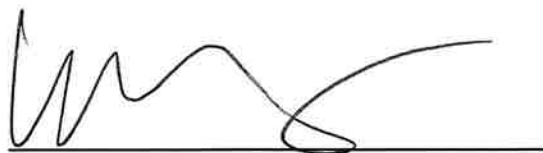
*(Omitted text is unaffected by this ordinance)*

(f) to establish a cannabis business establishment in a within the area bounded by Division Street, Lake Michigan, Roosevelt Road, and Halsted Street.

2. Any other applicant may elect to submit a Type 1 application.

**SECTION 6.** This ordinance shall apply to any application to establish a cannabis business establishment submitted on or after the effective date of this ordinance.

**SECTION 7.** This ordinance shall take full force and effect upon its adoption by the City Council.



William Conway,  
Alderman 34<sup>th</sup> Ward