

Passed: August 04, 2014
Signed: August 06, 2014

ORDINANCE NO. 2014-08-076

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF
URBANA, ILLINOIS
(Revising Article II and Article V to establish definitions and
use provisions for "Medical Cannabis Dispensaries" and "Medical
Cannabis Cultivation Facilities" / Plan Commission Case No.
2234-T-14)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the State of Illinois enacted the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/) on January 1, 2014, which made medical cannabis legal and set use and siting rules for medical cannabis facilities in the State of Illinois; and

WHEREAS, medical cannabis uses are not listed in the Urbana Zoning Ordinance; and

WHEREAS, the Zoning Administrator is proposing to amend the Urbana Zoning Ordinance in order to establish use provisions and siting requirements for medical cannabis cultivation centers and dispensaries; and

WHEREAS, said text amendment is consistent with the goals and objectives of the Urbana Comprehensive Plan; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on this application at their July 24, 2014 meeting; and

WHEREAS, the Urbana Plan Commission on July 24, 2014 voted 5 ayes to 0 nays to recommend approval of the proposed Zoning Ordinance amendment as presented and amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. That Section II-3, Definitions, of Urbana Zoning Ordinance is hereby amended to add the following new definitions:

Medical Cannabis Cultivation Center: A facility operated by an organization or business that is registered by the Illinois Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. (410 ILCS 130/10(e))

Medical Cannabis Dispensary: A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered Medical Cannabis Cultivation Center for the purpose of dispensing cannabis, cannabis use and storage paraphernalia, or related supplies and educational materials to registered qualifying patients. (410 ILCS 130/10(o))

Section 2. That Article V is hereby amended to include Section V-13, Regulation of Medical Cannabis Uses:

Section V-13. Regulation of Medical Cannabis Uses

- A. Medical cannabis uses listed as permitted in Table V-1 shall only be permitted as provided herein so that these uses will not unduly interfere with or adversely affect the public health, safety, comfort, adjacent land uses, property values, or general welfare of the community.
- B. Medical cannabis uses shall only be allowed in locations that are consistent with the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/):

1. No medical cannabis cultivation center shall be located on a parcel whose property line is within 2,500 feet of the property line of a pre-existing public or private preschool or elementary school or secondary school or day care center, day care home, group day care home, part day child care facility, or any lot in an R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7, B-3U or MOR Zoning District.(410 ILCS 130/105(c))
2. No medical cannabis dispensary shall be located on a parcel whose property line is within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility, or in a house, apartment, or condominium, or on any lot in an R-1, R-2, R-3, R-4, R-5, R-6, R-6B, R-7, B-3U or MOR Zoning District.(410 ILCS 130/130(d))

Section 3. That Table V-1, Table of Uses, of the Urbana Zoning Ordinance is hereby amended to include the following new uses as follows:

Table V-1. Table of Uses

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2
Medical Cannabis Cultivation Center									C										S	P
Medical Cannabis Dispensary												P		P						P

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

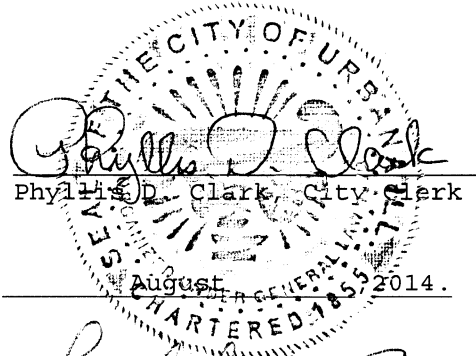
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 4th day of August, 2014.

PASSED by the City Council this 4th day of August, 2014.

AYES: Ammons, Brown, Jakobsson, Madigan, Marlin, Roberts, Smyth

NAYS:

ABSTAINED:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 6th day of August, 2014.

Laurel Lutz Prussing
Laurel Lutz Prussing, Mayor



**CERTIFICATE OF PUBLICATION
IN PAMPHLET FORM**



I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

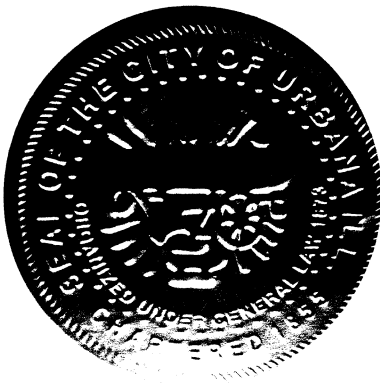
I certify that on the 4th day of August, 2014, the City Council of the City of Urbana passed and approved Ordinance No. 2014-08-76, entitled:

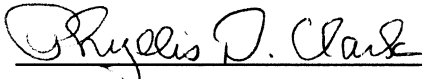
**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS
(REVISING ARTICLE II AND ARTICLE V TO ESTABLISH DEFINITIONS AND USE PROVISIONS FOR "MEDICAL CANNABIS DISPENSARIES" AND "MEDICAL CANNABIS CULTIVATION FACILITIES" / PLAN COMMISSION CASE NO. 2234-T-14)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2014-08-076 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 6th day of August, 2014, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 6th day of August, 2014.




Phyllis D. Clark, City Clerk