

Legislation Details (With Text)

File #: 160919 **Version:** 1 **Name:**

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File created: 10/20/2016 **In control:** Committee on Rules

On agenda: **Final action:** 12/8/2016

Title: Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by providing for medical marijuana dispensaries and growing/processing facilities, under certain terms and conditions.

Sponsors: Councilmember Green, Councilmember Henon

Indexes: ZONING AND PLANNING

Code sections: Title 14 - ZONING AND PLANNING

Attachments: 1. CertifiedCopy16091901.pdf

| Date | Ver. | Action By | Action | Result | Tally |
|------------|------|--------------------|--|--------|-------|
| 12/20/2016 | 1 | MAYOR | SIGNED | | |
| 12/8/2016 | 1 | CITY COUNCIL | READ AND PASSED | Pass | 16:0 |
| 12/1/2016 | 1 | CITY COUNCIL | ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR | | |
| 12/1/2016 | 1 | CITY COUNCIL | SUSPEND THE RULES OF THE COUNCIL | Pass | |
| 12/1/2016 | 1 | CITY COUNCIL | READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR | | |
| 11/30/2016 | 0 | Committee on Rules | HEARING NOTICES SENT | | |
| 11/30/2016 | 0 | Committee on Rules | HEARING HELD | | |
| 11/30/2016 | 0 | Committee on Rules | AMENDED | | |
| 11/30/2016 | 1 | Committee on Rules | REPORTED FAVORABLY, RULE SUSPENSION REQUESTED | | |
| 10/20/2016 | 0 | CITY COUNCIL | Introduced and Referred | Pass | |

Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by providing for medical marijuana dispensaries and growing/processing facilities, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 14 of The Philadelphia Code is hereby amended to read as follows:

TITLE 14. ZONING AND PLANNING.

* * *

CHAPTER 14-600. DEFINITIONS.

§ 14-203. Definitions.

* * *

(185.1) Medical Marijuana Dispensary

See § 14-601(6)(c)(.3) (Medical Marijuana Dispensary).

(185.2) Medical Marijuana Growing/Processing Facility

See § 14-601(10)(j) (Medical Marijuana Growing/Processing Facility).

* * *

CHAPTER 14-600. USE REGULATIONS

§ 14-601. Use Categories.

* * *

(6) Retail Sales Use Category.

* * *

(c) Consumer Goods.

(.3) Medical Marijuana Dispensary

A person who holds a permit issued by the Department of Health of the Commonwealth pursuant to the Act of April 17, 2016, P.L. 84, No. 16, to dispense medical marijuana.

* * *

(10) Industrial Use Category.

* * *

(j) Medical Marijuana Growing/Processing Facility.

A person who holds a permit issued by the Department of Health of the Commonwealth pursuant to the Act of April 17, 2016, P.L. 84, No. 16, to grow and process medical marijuana.

* * *

§ 14-602. Use Tables.

* * *

(4) Commercial Districts.

Principal uses are allowed in Commercial districts in accordance with Table 14-602-2. Uses classified as accessory uses, such as home occupations, are not regulated by the use table. Accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

* * *

Table 14-602-2: Uses Allowed in Commercial Districts

| Previous District Name | C-1 | C-2/RC -2 | (/NCC) | C-3/RC -3 | C-4 | C-5 | C-7/NSC | ASC | |
|--|-------|--------------|---------|--------------|-------|-------|---------|------|------------------------|
| District Name | CMX-1 | CMX-2 | CMX-2.5 | CMX-3 | CMX-4 | CMX-5 | CA-1 | CA-2 | Use-Specific Standards |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not li | | | | | | | | | |
| * * * | | | | | | | | | |
| Retail Sales Use Category | | | | | | | | | |
| * * * | | | | | | | | | |
| Consumer Goods (except as noted below) | | | | | | | | | |
| * * * | | | | | | | | | |
| <i>Medical Marijuana Dispensary</i> | N | Y | Y | Y | Y | Y | N | Y | § 14-603 (20) |
| * * * | | | | | | | | | |

(5) Industrial Districts.

Principal uses are allowed in Industrial districts in accordance with Table 14-602-3. Uses classified as accessory uses, such as home occupations, are not regulated by the use table. Accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 14-603 (Use-Specific Standards) and § 14-604 (Accessory Uses and Structures).

* * *

Table 14-602-3: Uses Allowed in Industrial Districts

| Previous District Name | New | L4/L-5 | L1/L2/L 3 | G1/G2 | LR | PI | |
|--|----------|--------|--------------|-------|-----|-----|------------------------|
| District Name | IRMX [3] | ICMX | I-1 | I-2 | I-3 | I-P | Use-Specific Standards |
| Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not li | | | | | | | |
| * * * | | | | | | | |
| Industrial Use Category | | | | | | | |
| * * * | | | | | | | |
| <i>Medical Marijuana Growing/Processing Facility</i> | N | N | Y | Y | Y | N | |

* * *

§ 14-603. Use-Specific Standards.

* * *

(20) Medical Marijuana Dispensary

(a) Regulations and Standards.

(.1) Separation Requirements.

No medical marijuana dispensary use may be located:

- (.a) Within a zoning district where such use is not expressly allowed;*
- (.b) Within 500 ft. of any regulated use (see § 14-603(13) (Regulated Use));*
- (.c) Within 500 ft. of any school (up to and including the 12th grade) or its adjunct recreation areas/play fields;*
- (.d) Within 500 ft. of any public playground;*
- (.e) Within 500 ft. of any public swimming pool;*
- (.f) Within 500 ft. of any public park;*
- (.g) Within 500 ft. of any public recreation center; or*
- (.h) Within 500 ft. of any public library.*

SECTION 2. This Ordinance shall take effect immediately.