

AN ORDINANCE

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.

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(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).

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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.**

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(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.

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§ 14-602. Use Tables.

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(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 Districts¹

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
<p>Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(4)(a) (Notes for Table 14-602-2) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.</p>									
* * *									
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).

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Table 14-602-3: Uses Allowed in Industrial Districts²

Previous District Name	New	L4/L-5	L1/L2/L3	G1/G2	LR	PI	
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District Name	IRMX [3]	ICMX	I-1	I-2	I-3	I-P	Use-Specific Standards
<p>Y = Yes permitted as of right S = Special exception approval required N = Not allowed (expressly prohibited) Uses not listed in this table are prohibited See § 14-602(5)(a) (Notes for Table 14-602-3) for information pertaining to bracketed numbers (e.g., “[2]”) in table cells.</p>							

Industrial Use Category							

<i>Medical Marijuana Growing/Processing Facility</i>	<i>N</i>	<i>N</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>N</i>	

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§ 14-603. Use-Specific Standards.

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(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 1,000 ft. of any regulated use (see § 14-603(13) (Regulated Use); or*
- (.c) Within 500 ft. of the nearest lot line of a lot containing any protected use (see § 14-203(249) (Protected Use)).*

SECTION 2. This Ordinance shall take effect immediately.

Introduced by:

Councilman Derek S. Green

Councilman Bobby Henon

October 20, 2016