

**ORDINANCE NO. 1679-13**

**AN ORDINANCE AMENDING THE  
ITASCA ZONING ORDINANCE (Medical Marijuana)**

WHEREAS, the State of Illinois has enacted the Compassionate Use of Medical Cannabis Pilot Program Act (the “Act”) which allows the cultivation, sale and use of medical marijuana for medicinal purposes; and

WHEREAS, the Act authorizes municipalities to enact “reasonable” zoning requirements in regards to medical marijuana; and

WHEREAS, a public hearing was held by the Itasca Plan Commission on November 20, 2013, pursuant to public notice, to discuss text amendments to the Itasca Zoning Ordinance regarding medical marijuana in the Village, and

WHEREAS, the Itasca Plan Commission unanimously voted to recommend that the Zoning Ordinance be amended to:

- (1) Add definitions for “medical marijuana cultivation center” and “medical marijuana dispensary;”
- (2) Allow medical marijuana cultivation centers and medical marijuana dispensaries only in the M – Manufacturing District as special uses;
- (3) Ensure adequate parking is available for medical marijuana cultivation centers and medical marijuana dispensaries.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of Itasca, DuPage County, Illinois, as follows:

SECTION ONE: The corporate authorities of the Village of Itasca hereby add to Village of Itasca Zoning Ordinance Section 3.02 “Definitions,” the following in the proper alphabetical location:

Medical Marijuana Cultivation Center: A facility authorized by Illinois law and registered with the Illinois Department of Agriculture to grow and cultivate cannabis for medical purposes in accordance with all State Statutes and Regulations.

Medical Marijuana Dispensary: A facility authorized by Illinois law and registered with the Illinois Department of Financial and Professional Regulation to dispense cannabis for medicinal purposes in

accordance with all State Statutes and Regulations.

SECTION TWO: The corporate authorities of the Village of Itasca hereby amend Village of Itasca Zoning Ordinance Section 11.03(2) to add Medical Marijuana Cultivation Centers and Medical Marijuana Dispensaries to the list of special uses in the Manufacturing District.

SECTION THREE: The corporate authorities of the Village of Itasca hereby add to Village of Itasca Zoning Ordinance Section 12.05(3) as follows:

k. **Medical Marijuana Cultivation Centers.** One (1) parking space shall be provided for each employee, plus one (1) parking space for each vehicle used in the enterprise, or one (1) parking space per two thousand (2,000) square feet of gross area, whichever is greater.”

SECTION FOUR: The corporate authorities of the Village of Itasca hereby add to Village of Itasca Zoning Ordinance Section 12.05(2) as follows:

p. **Medical Marijuana Dispensaries.** One (1) parking space shall be provided for each two hundred fifty (250) square feet of gross floor area. Medical Marijuana Dispensaries in Mixed Retail Shopping Centers must provide parking for said facilities.

SECTION FIVE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION SIX: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

AYES: Trustees Hower, Leahy, Aiani, Madaras, Latoria and Santorsola


NAYS: None

ABSENT: None

ABSTAIN: None

APPROVED and ADOPTED by the Village President and Board of Trustees of the Village of Itasca this 3rd day of December, 2013.

APPROVED:



~~Jeffrey J. Prayn, Village President~~

Jeffrey T. Aiani, Temporary Chairman

ATTEST:

  
\_\_\_\_\_  
Melody J. Craven, Village Clerk