



§500-113 Medical Marijuana From new Ordinance with changes shown.

A. Purpose. To establish a process and standards for the establishment, construction, and operations of various medical marijuana facilities in strict conformity with the Pennsylvania "Medical Marijuana Act" (Act of Apr. 17, 2016, P.L. 84, No. 16, a/k/a Act 2016, 35 P.S. s 10231.101 et. seq., as amended) to allow for the integration of an allowed industry while providing for the protection of the public health, safety, morals, and general welfare.

B. Medical Marijuana Academic Clinical Research Centers

- (1) Parking shall comply with §500-29 and the number of spaces shall comply with §500-29F for hospitals. ~~Parking requirements will follow the parking schedule found in Section 500-31 (A)(6)(b) retail stores:~~
- (2) An academic clinical research center may only grow medical marijuana for the purpose of on-site clinical research and not for gifting, donating or sale, provided such activity occurs indoors within an enclosed secure building which includes electronic locking systems, electronic surveillance and other features required by the Pennsylvania Department of Health as required by Act 16, as amended and not within a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicles or other motor vehicle.
- (3) There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from any medical marijuana academic clinical research center and the facility shall comply with Article VII (Standards). ~~§Section 500-13, Environmental Protection Requirements:~~
- (4) A buffer planting is required where a medical marijuana academic clinical research center adjoins a residential use or district in accord with §500-60 (Setbacks and Buffers). ~~Section 500-7 (Screen Planting):~~
- (5) The Applicant shall submit documentation showing compliance with Act 16, as amended, and all related regulations, including but not limited to licensure, upon demand of the Zoning Officer.
- (6) Failure to comply with the requirements of Act 16, as amended, and all related regulations shall constitute a violation of this chapter ~~the Zoning Ordinance.~~

C. Medical Marijuana Grower/Processor

- (1) A medical marijuana grower/processor may only grow medical marijuana indoors within an enclosed, secure building which includes electronic locking systems, electronic surveillance and other features required by the Pennsylvania Department of Health as required by Act 16, as amended and not within a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle, or other motor vehicle.
- (2) There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from any facility where medical marijuana growing, processing, or testing occurs and the facility shall comply with Article VII (Standards). ~~§Section 500-13, Environmental Protection Requirements:~~
- (3) Grower/processors may not operate on the same site as a medical marijuana dispensary. ~~facility used for dispensing medical marijuana.~~
- (4) Parking shall comply with §500-29 and the number of spaces shall comply with §500-29F for manufacturing and industry. ~~Parking requirements will follow the parking schedule found in Section 500-31(A)(6)(c)~~
- (5) A buffer planting is required where a medical marijuana grower/processor adjoins a residential use or district in accord with §500-60 (Setbacks and Buffers). ~~Section 500-7 (Screen Planting):~~
- (6) Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed, it should be from within a secure environment and in accord with §500-29G. ~~Section 500-31(B):~~
- (7) The Applicant shall submit documentation showing compliance with Act 16, as amended, and all related regulations, including but not limited to licensure, upon demand of the Zoning Officer.

- (8) Failure to comply with the requirements of Act 16, as amended, and all related regulations shall constitute a violation of this chapter the Zoning Ordinance.

D. Medical Marijuana Dispensary

- (1) A medical marijuana dispensary may only dispense medical marijuana indoors within an enclosed, secure building which includes electronic locking systems, electronic surveillance and other features required by the Pennsylvania Department of Health as required by Act 16, as amended and not within a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle, or other motor vehicle.
- (2) A medical marijuana dispensary may not operate on the same site as a medical marijuana grower/processor facility used for growing and processing medical marijuana.



- (3) There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from any facility where medical marijuana growing, processing, or testing occurs and the facility shall comply with Article VII (Standards). ~~§Section 500-13, Environmental Protection Requirements:~~

- (4) A medical marijuana dispensary shall:



- (a) Not have a drive-through service.
 - (b) Not have outdoor seating areas
 - (c) Not have outdoor vending machines
 - (d) Prohibit the application and consumption of medical marijuana on the premises; and
 - (e) Not offer direct or home delivery service.
- (5) A medical marijuana dispensary may not be located within 1,000 feet of the property line of a public, private or parochial school, a charter school, or a day-care center, unless an adjustment or waiver of such prohibition shall have been approved by the Pennsylvania Department of Health and satisfactory proof thereof shall have been provided to the Zoning Officer. This distance shall be measured in a straight line from the closest property line in which the business is conducted or proposed to be conducted, to the closest property line of the protected use, regardless of the municipality in which it is located
- (6) Any medical marijuana dispensary facility lawfully operating shall not be rendered in violation of these provisions by the subsequent location of a public, private or parochial school, a charter school, or a day-care center, provided the dispensary use shall not have been or thereafter become, abandoned.
- (7) ~~Parking requirements-~~ Parking shall comply with §500-29 and at least one parking space shall be provided for each 200 square feet of floor area or fraction thereof.
- (8) A buffer planting is required where a medical marijuana dispensary adjoins a residential use or district in accord with §500-60 (Setbacks and Buffers). ~~Section 500-7 (Screen Planting):~~
- (9) Loading and off-loading areas within the structure are preferred. If an external loading dock arrangement is designed, it should be from within a secure environment and in accord with §500-29G. ~~Section 500-31(B):~~
- (10) The Applicant shall submit documentation showing compliance with Act 16, as amended, and all related regulations, including but not limited to licensure, upon demand of the Zoning Officer.