

LOWER PROVIDENCE TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE NO. 654
(Duly Adopted March 15, 2018)

**AN ORDINANCE OF THE TOWNSHIP OF LOWER PROVIDENCE,
MONTGOMERY COUNTY, PENNSYLVANIA; PROVIDING FOR THE
AMENDMENT OF CHAPTER 143, ZONING, OF THE CODE OF LOWER
PROVIDENCE TOWNSHIP BY ADOPTING NEW REGULATIONS FOR
A DISPENSARY USE AND A GROWER/PROCESSOR USE; AND
PERMITTING SUCH USES IN THE IP ZONING DISTRICT.**

NOW, THEREFORE, it is hereby **ENACTED and ORDAINED** by the Board of Supervisors of Lower Providence Township as follows:

ARTICLE I. Use Definitions

Section 143-6.B, Definitions, of Chapter 143, Zoning, of the Lower Providence Township Code is hereby amended by adding the following new definitions, which shall read as follows:

MEDICAL MARIJUANA DISPENSARY

A shop or store holding a permit issued by the Pennsylvania Department of Health to dispense medical marijuana and that sells medical marijuana to the ultimate consumer. Other retail sales, other activities, accessory/ancillary uses, and outside storage/display are not allowed as a part of this use nor are they allowed in/on the same structure/property as this use. In addition, the establishment and operation of a Dispensary shall fully comply with the Pennsylvania Medical Marijuana Act (35 P.S. §10231.101 *et seq.*) and the regulations promulgated thereunder, including, but not limited to, Chapters 1141, 1151, and 1161 of Title 28 of the Pennsylvania Code (28 Pa. Code Chpts. 1141, 1151, & 1161).

MEDICAL MARIJUANA GROWER/PROCESSOR

An industrial facility holding a permit issued by the Pennsylvania Department of Health to grow and process medical marijuana and that sells medical marijuana to Medical Marijuana Dispensaries for sale to the ultimate consumer. Retail sales, other activities, accessory/ancillary uses, and outside storage/display are not allowed as a part of this use nor are they allowed in/on the same structure/property as this use. In addition, the establishment and operation of a Grower/Processor shall fully comply with the Pennsylvania Medical Marijuana Act (35 P.S. §10231.101 *et seq.*) and the regulations promulgated thereunder, including, but not limited to, Chapters 1141 and 1151 of Title 28 of the Pennsylvania Code (28 Pa. Code Chpts. 1141 & 1151).

ARTICLE II. Industrial Districts

Subsection 143-136, Use Regulations for the IP District, of Chapter 143, Zoning, of the Lower Providence Township Code is hereby amended to add Medical Marijuana Dispensary and Medical Marijuana Grower/Processor as permitted uses as follows:

Types of Uses	IP District	Mixed-Use Overlay Sector	Office Technology Campus Sector
Medical Marijuana Dispensary	P (for properties abutting Eisenhower, Van Buren, Jefferson, and Madison Avenues only)	N	N
Medical Marijuana Grower/Processor	P (for properties abutting Eisenhower, Van Buren, Jefferson, and Madison Avenues only)	N	N

ARTICLE III. Off-Street Parking

Section 143-71.G, General Regulation for Off-Street Parking, of Chapter 143, Zoning, of the Lower Providence Township Code is hereby amended to add parking regulations for Medical Marijuana Dispensary and Medical Marijuana Grower/Processor, which addition shall read as follows:

Use	Requirement (number of spaces)
Medical Marijuana Dispensary	1 per 250 square feet of gross floor area plus 1 per employee
Medical Marijuana Grower/Processor	1 per 450 square feet of gross floor area plus 1 for each business vehicle normally stored on the premises

ARTICLE IV. Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

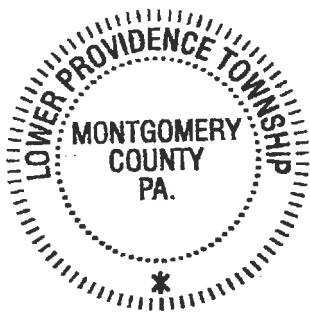
ARTICLE V. Severability

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

ARTICLE VI. Effective Date

This Ordinance shall become effective five (5) days after final enactment.

ENACTED and **ORDAINED** this 15th day of March, 2018.



ATTEST:

A handwritten signature in black ink, appearing to be "Don D. Delamater".

Don D. Delamater, Township Manager

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to be "Patrick T. Duffy".

Patrick T. Duffy, ChairA handwritten signature in black ink, appearing to be "Jason Sorgini".

Jason Sorgini, Vice ChairA handwritten signature in black ink, appearing to be "Colleen Eckman".

Colleen EckmanA handwritten signature in black ink, appearing to be "Peter MacFarland".

Peter MacFarlandA handwritten signature in black ink, appearing to be "Gary Neights".

Gary Neights