

FOREST CITY BOROUGH **ORDINANCE #507 of 2017**

AN ORDINANCE AMENDING ZONING ORDINANCE # 427 OF THE BOROUGH OF FOREST CITY ADOPTED ON DECEMBER 6, 1993.

PREAMBLE: in consideration of the Community Developments Objectives as set forth In Zoning Ordinance Article Section 103 “Purpose”;

BE IT ORDAINED by the Council of Forest City Borough, and it is hereby ordained by authority of the same, and in accordance with the Borough of Forest City’s Zoning Ordinance, adopted on December 6, 1993, and further pursuant to the authority granted to Boroughs in the Commonwealth of Pennsylvania by the Pennsylvania Municipalities Planning Code (53 P.S. Section 10101, et. Sec.) and the Borough Code (Act 37 of 2014).

IT IS HEREBY Enacted and Ordained as Follows:

Add to Article 3, Section 302:

Definition of a Medical Marijuana Dispensary as set forth in Title 28 – Health and Safety- (28 PA. CODE CHAPTER 1161) Medical Marijuana; Dispensaries.

Definition of a Clinic or other Establishment which administers or dispenses of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) as set forth in the Federal Guidelines for Opioid Treatment Programs. HHS Publication No. (SMA) PEP15-FEDGUIDEOTP: Substance Abuse and Mental Health Services Administration, 2015; including Methadone Clinics.

Add to Article 5, Section 505 # 5 (Allows this use in a C-2 Zone):

Add Medical Marijuana Dispensary as a Conditional Use.

Add Clinic or other Establishment for the administration and dispensing of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs), including Methadone Treatment Facilities, as a Conditional Use.

Add to Article 7, Section 703, a new #1 A & 1 B as follows:

1 A. Medical Marijuana Dispensary Facility.

a. Purpose: The purpose of this use is to provide for establishments which have the purpose of dispensing marijuana for medical uses in an appropriate environment which prevents the downgrading effects which a concentration of such uses or the inappropriate placement of such uses may have upon surrounding neighborhoods.

b. Use Regulations: The conditional uses shall be establishments dispensing marijuana for medical as designated herein under subsection (f) "Uses Designated and Regulated".

c. Dimensional Regulations: The dimensional regulations shall be the same as those applicable to the C-2 Commercial District.

d. Development Regulations: Medical marijuana establishments (as defined herein) shall be subject to the following development regulations:

(1) Comprehensive Plan - Proposed Medical Marijuana establishments shall be consistent with the Comprehensive Plan of the Borough of Forest City if one has been adopted.

(2) Site Location - Medical Marijuana Dispensaries shall only be in the C-2 Commercial District and the proposed location of such an establishment within such district shall be at least five hundred (500) feet distant from another such medical marijuana use and property lines of churches and related religious institutions, playgrounds, parks and community buildings; and one thousand (1,000) feet distant from any property lines of schools and daycare centers.

e. Supplementary Regulations (See Article 8)

f. Uses Designated and Regulated: Medical Marijuana Dispensaries or any and all such other establishments in which marijuana is dispensed or used.

1 B. Clinics or other Establishments for the purpose of administering or dispensing of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs), including Methadone Treatment Facilities.

a. Purpose: The purpose of this use is to provide for establishments which have the purpose of administering or dispensing of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) in an appropriate environment which prevents the downgrading effects which a concentration of such uses or the inappropriate placement of such uses may have upon surrounding neighborhoods.

b. Use Regulations: The conditional uses shall be establishments which administer and dispense opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) as designated herein under subsection (f) "Uses Designated and Regulated".

c. Dimensional Regulations: The dimensional regulations shall be the same as those applicable to the C-2 Commercial District.

d. Development Regulations: establishments which administer and dispense of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) (as defined herein) shall be subject to the following development regulations:

(1) Comprehensive Plan - Proposed establishments for the administration or dispensing of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) shall be consistent with the Comprehensive Plan of the Borough of Forest City if one has been adopted.

(2) Site Location - Proposed establishments for the administration or dispensing of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) shall only be in the C-2 Commercial District and the proposed location of such an establishment within such district shall be at least five hundred (500) feet distant from another such use and property lines of churches and related religious institutions, playgrounds, parks and community buildings; and one thousand (1,000) feet distant from any property lines of schools and daycare centers.

e. Supplementary Regulations (See Article 8)

f. Uses Designated and Regulated: Establishments for the administration or dispensing of opioid drugs for the treatment of opioid addiction (Opioid Treatment Programs) or any and all such other similar establishments including Methadone Treatment Facilities.

REPEALER: This Ordinance supersedes and repeals all former and prior ordinances or parts thereof which conflict with or are inconsistent with the provisions of this ordinance.

These amendments to the Zoning Ordinance shall take effect immediately upon the adoption hereof.


Adopted this 6th day of March, 2017.


WILLIAM D. ORASIN, COUNCIL PRESIDENT

ATTEST:


SHARON VANNAN, BOROUGH SECRETARY/TREASURER

Approved by the Mayor this 6th day of March, 2017.


PAULINE WILCOX, MAYOR