

# Medical Marijuana Act Resources

Note that these resources are provided for example and research only. APA Pennsylvania Chapter is compiling information of assistance to the planning community and is not recommending any of these resources as models to replicate.

## STATE AND LEGISLATIVE RESOURCES

### PA Department of Health Medical Marijuana Page

<http://www.health.pa.gov/My%20Health/Diseases%20and%20Conditions/M-P/MedicalMarijuana/Pages/default.aspx>

### 2016 Act 16 - MEDICAL MARIJUANA ACT - ENACTMENT

<http://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2016&sessInd=0&act=16>

#### Section 2107. Zoning.

The following apply:

- (1) A grower/processor shall meet the same municipal zoning and land use requirements as other manufacturing, processing and production facilities that are located in the same zoning district.
- (2) A dispensary shall meet the same municipal zoning and land use requirements as other commercial facilities that are located in the same zoning district.

#### Section 802. Facility requirements.

- (3) A dispensary may not be located within 1,000 feet of the property line of a public, private or parochial school or a day-care center.

### RULES AND REGULATIONS - Title 28—HEALTH AND SAFETY - DEPARTMENT OF HEALTH

Medical Marijuana; General Provisions; Growers/Processors; Temporary Regulations

<http://www.pabulletin.com/secure/data/vol46/46-44/1860.html>

## Pennsylvania Department of Health Medical Marijuana Regions



## GUIDANCE

### APA Pennsylvania

<http://planningpa.org/resource-library/medical-marijuana-articles-and-resources/>

### Lehigh Valley

<http://lvpc.org/pdf/2016/Marijuana%20Act%20Memorandum%20-%207-28-2016.pdf>

## ZONING CODES

### Central Section

Tri-County Regional Planning Commission Model Ordinance

Model Ordinances page - <http://www.tcrpc-pa.org/model-ordinances/>

Direct link -

<https://static1.squarespace.com/static/56dc3f9cb654f9876576bab7/t/586bb1b5e4fcb562282e9f5c/1483452854273/MedicalMarijuanaV5.pdf>

Carlisle Borough, Cumberland County

<https://www.carlislepa.org/2265-medical-marijuana-ordinance/>

Hampden Township, Cumberland County

<https://www.ccpa.net/DocumentCenter/View/24454>

Silver Spring Township, Cumberland County

<https://www.sstwp.org/DocumentCenter/View/7301>

Steelton Borough, Dauphin County

<https://www.steeltonpa.com/documents/ordinance-2016-06-amending-code-incorporate-medical-marijuana-act/>

## Lehigh Valley Section

Hanover Township, Northampton County

<http://hanovertwp-nc.org/wp-content/uploads/2013/02/Medical-Marijuana-Ordinance.pdf>

Leesport Borough, Berks County

[http://www.co.berks.pa.us/Muni/Leesport/Documents/ORD461medmarijuana\\_20170301135445.pdf](http://www.co.berks.pa.us/Muni/Leesport/Documents/ORD461medmarijuana_20170301135445.pdf)

Ruscombmanor Township, Berks County

[http://ruscombmanor.org/docs/marijuana\\_ord.pdf](http://ruscombmanor.org/docs/marijuana_ord.pdf)

## Northeast Section

Millcreek Township, Erie County

<http://www.ecode360.com/documents/MI3114/public/324387426.pdf>

## Southeast Section

Falls Township, Bucks County

<http://ecode360.com/7125293>

Haverford Township, Delaware County

[http://www.haverfordtownship.org/egov/documents/1493738023\\_00176.pdf](http://www.haverfordtownship.org/egov/documents/1493738023_00176.pdf)

Marple Township, Delaware County

[http://www.marpletwp.com/Med\\_Marijuana\\_Ordinance.pdf](http://www.marpletwp.com/Med_Marijuana_Ordinance.pdf)

New Briton Township, Bucks County

<http://www.newbritaintownship.org/downloads/Ord2017-01-02.pdf>

Philadelphia

[http://phlcouncil.com/wp-content/uploads/2016/10/Zoning-Bill\\_final.pdf](http://phlcouncil.com/wp-content/uploads/2016/10/Zoning-Bill_final.pdf)

## ARTICLES

### Central Section

*Planners offer model zoning ordinance for medical marijuana buildings*

Jun 17, 2016

<http://www.witf.org/news/2016/06/planners-offer-model-zoning-ordinance-for-medical-marijuana-buildings.php>

The Tri-County Regional Planning Commission has put together the model ordinance.

It's based on how other states have handled zoning for medical marijuana businesses, and also meets requirements under Pennsylvania's new law.

"But it also suggests some other things that municipalities might consider but don't have to include. So it's really a flexible tool but it starts to get the work in motion for municipalities that are interested," says Diane Myers-Krug, associate director for the commission.

## Cumberland County

### *Carlisle ordinance sets limits on medical marijuana operations*

December 9, 2016

<http://www.cpbj.com/article/20161209/CPBJ01/161209756/carlisle-ordinance-sets-limits-on-medical-marijuana-operations>

### *Carlisle establishes medical marijuana zone*

Dec 12, 2016

[http://cumberlink.com/news/local/communities/carlisle/carlisle-establishes-medical-marijuana-zone/article\\_f58d4fff-5092-5c4b-a008-409d5513ba59.html](http://cumberlink.com/news/local/communities/carlisle/carlisle-establishes-medical-marijuana-zone/article_f58d4fff-5092-5c4b-a008-409d5513ba59.html)

## Dauphin County

### *Steelton clears way for medical marijuana commerce*

December 19, 2016

[http://www.pennlive.com/news/2016/12/steelton\\_clears\\_way\\_for\\_medica.html](http://www.pennlive.com/news/2016/12/steelton_clears_way_for_medica.html)

"Steelton Borough is a place that welcomes the burgeoning medical cannabis industry. Responsible medical-cannabis businesses will provide a much needed boost to Steelton's economy," borough Manager Doug Brown stated. "We very much want to be at the forefront of the industry and foresee the economic benefits it will bring to our borough."

## Lehigh Valley Section

### *Wyomissing council adopts ordinance to accommodate state's medical marijuana law*

January 11, 2017

<http://www.readingeagle.com/news/article/wyomissing-council-adopts-ordinance-to-accommodate-states-medical-marijuana-law>

### *Medical marijuana operations will try to avoid NIMBY treatment*

November 25, 2016

<http://www.mcall.com/news/local/mc-medical-marijuana-zoning-changes-20161125-story.html>

About 20 area municipalities are exploring how to best prepare for this new wave of business, according to LVPC Executive Director Becky Bradley. Crafting zoning ordinances ensures a municipality is protected and has a say in how the new industry takes shape within their borders. The LVPC has been urging municipalities to take the initiative in drafting legislation.

### *Planners tell towns to get ready for medical marijuana*

August 6, 2016

<http://www.mcall.com/business/mc-marijuana-zoning-planning-20160806-story.html>

### *Could a marijuana operation set up in your neighborhood?*

May 6, 2016

<http://www.mcall.com/news/local/mc-marijuana-zoning-battles-20160506-story.html>

"The Pennsylvania Municipalities Planning Code requires that every conceivable use be accommodated in a zoning district within every municipality," Bradley said. "This includes new uses such as marijuana growing, processing and distribution. We do intend to outline the basics of the legislation and a host of references for Lehigh Valley communities to utilize to begin to zone for marijuana-based businesses."

## Lehigh County

### *Medical marijuana dispensary wants to set up shop in Emmaus*

January 17, 2017

<http://www.mcall.com/business/healthcare/mc-pa-medical-marijuana-applications-out-20170117-story.html>

## Northeast Section

### Erie County

#### *Millcreek to look at medical marijuana zoning*

February 5, 2017

<http://www.goerie.com/news/20170205/millcreek-to-look-at-medical-marijuana-zoning>

"It would take a pretty large facility for growing, and right now we're looking at (that) I-3 industrial park district," he said.

C-3 and C-4 commercial districts could be zoned for a dispensary or dispensaries, McGrath said. Both districts are located along state highways and away from schools and day care centers, as required by law.

#### *Business of medical marijuana off to fast start in Erie County*

December 1, 2016

<http://www.goerie.com/news/20161201/business-of-medical-marijuana-off-to-fast-start-in-erie-county>

## Southeast Section

### Bucks County

#### *Middletown Officials Pass Medical Marijuana Ordinance*

January 27, 2017

<http://levittownnow.com/2017/01/27/middletown-officials-pass-medical-marijuana-ordinance/>

The township's ordinance allows medical marijuana growing and processors to set up shop in the light manufacturing district and dispensaries in the commercial district. The ordinance also adds a stipulation where conditional use approval would be required for all medical marijuana related business to come before the board.

#### *Middletown adopts medical marijuana ordinance*

January 23, 2017

Middletown follows Lower Southampton and Falls Township in Lower Bucks, which passed similar zoning ordinances this fall. Langhorne Borough began drafting its own ordinance in December.

#### *Newtown Township supervisors discuss zoning for medical marijuana dispensaries, trail grant and small games of chance*

Jan 12, 2017

[http://www.buckslocalnews.com/news/newtown-township-supervisors-discuss-zoning-for-medical-marijuana-dispensaries-trail/article\\_6b32a966-d8ff-11e6-a5ae-8ba9ab7518e4.html](http://www.buckslocalnews.com/news/newtown-township-supervisors-discuss-zoning-for-medical-marijuana-dispensaries-trail/article_6b32a966-d8ff-11e6-a5ae-8ba9ab7518e4.html)

### Delaware County

#### *Marple commissioners vote to regulate medical marijuana facilities*

May 9, 2017

<http://www.delcotimes.com/general-news/20170509/marple-commissioners-vote-to-regulate-medical-marijuana-facilities>

"The state law makes medical marijuana a legal practice in Pennsylvania," he [Township Solicitor Adam Matlawski] added. "By passing this ordinance, we are designating where facilities could be located."

### ***Sharon Hill Council endorses medical marijuana dispensary***

March 12, 2017

<http://www.delcotimes.com/general-news/20170312/sharon-hill-council-endorses-medical-marijuana-dispensary>

During a special meeting March 9 council voted in support of having a medical marijuana dispensary open in their town, the first municipality in the county to make a declaration.

### ***Aston considers going to pot***

February 5, 2017

<http://www.delcotimes.com/general-news/20170205/aston-considers-going-to-pot>

Higgins said it is necessary for the township to write and adopt an ordinance because there is no such regulation in existence.

### ***Pa. braces for arrival of medical marijuana era***

February 5, 2017

<http://www.delcotimes.com/general-news/20170205/pa-braces-for-arrival-of-medical-marijuana-era>

Throughout the state there will be 27 primary dispensary permits and two grow houses distributed among six regions. Dispensary permits allow up to three total locations – the primary location, and then two additional – in which an operator must establish the secondary locations within the same region, but in a different county.

The Southeast region is made up of eight counties – Philadelphia, Bucks, Delaware, Chester, Montgomery, Lancaster, Berks and Schuylkill counties – and like the six others may have two grow houses in the region. However, the southeast has the highest allotment of dispensary permits in the state with 10 of the 27 total.

Philadelphia may have up to three primary dispensary permits, while Montgomery has two, Delaware County along with Berks, Bucks, Chester and Lancaster, each have one primary permit.

Since each permit grants up to three locations, which all must be in different counties than the primary location, Delaware County likely will be a popular destination for the second and third location of dispensaries based primarily in Philadelphia, Montgomery and surrounding counties.

“When you have three dispensaries on one license, and then only one primary in each of the three counties in the southeast, you can see why that makes Delaware County so attractive,” said Sen. Daylin Leach, D-17, of Haverford, who introduced the Medical Cannabis bill along with Sen. Mike Folmer, R-48, of Lebanon.

### ***Sen. Leach paves way for medical marijuana in Pa.***

July 11, 2016

<http://www.dailylocal.com/article/DL/20160711/NEWS/160719953>

“Earlier in the month Dr. Howard Strauss, a retired dentist who owns and serves as director of the AIDS Care Group located in Sharon Hill, brought to the Trainer Borough Council a proposal of bringing a medical marijuana distribution center to the site of the former Rick’s Restaurant and Tavern along Ninth Street. He was met with pushback from residents fearing increased crime and lowered property value.

“People are asking, ‘why here?’” Trainer Police Chief Francis Proscopo said. “But, why does it have to be a bad thing? Business begets business.”

Strauss declined to comment for this story.”

### ***Local residents, Delco officials discuss benefits of medical marijuana***

May 1, 2016

<http://www.delcotimes.com/article/DC/20160501/NEWS/160509983>

## Philadelphia

### *Before launch of medical marijuana, City Council to weigh where dispensaries can open*

OCTOBER 20, 2016

"The 500-foot rule is better for businesses than a 1000-foot rule, but in Philadelphia County it's going to be hard to operate in that footprint," Schain said. "Beyond limiting the inventory of available properties for dispensaries and grow houses, the rule will make it more difficult to build out a site so that it's operational within six months of winning a license."

Paula Brumbelow, a senior planner with the city, said the legislation as drafted would allow for at least one dispensary in virtually all of the city's 18 geographical planning districts.

<http://www.philly.com/philly/blogs/heardinthehall/Before-launch-of-medical-marijuana-City-Council-to-weigh-where-dispensaries-should-open.html>

### *Mapping Philly's proposed marijuana dispensary zoning restrictions*

It's not often that an entirely new land use pops up in our cities. It could be that marijuana-related land uses corrupt passers-by. Perhaps they generate crime or scare off would-be home buyers.

Or, it could be that people actually value these land uses. That having them in their neighborhood is as valuable as having a drug store.

Wouldn't it be interesting however, if it turns out that neighbors value these establishments? What if on top of the direct benefits to patients and state tax coffers, marijuana reform laws actually brought increased vibrancy to urban commercial corridors?

<http://urbanspatialanalysis.com/mapping-phillys-proposed-marijuana-dispensary-zoning-restrictions/>

### *What's the status of Pennsylvania's medical marijuana law?*

MAY 31, 2016

<http://www.phillyvoice.com/whats-status-pennsylvanias-medical-marijuana-law/>

Pennsylvania's law differs from other states that have passed similar marijuana measures, according to the Pittsburgh Post-Gazette, in that it "denies individual communities the leeway to block dispensaries selling the drug, according to interpretations by independent analysts and legislative offices."

## Southwest Section

### *Laurel Green, one of PA's medical marijuana hopefuls, readies to grow*

January 27, 2017

<http://www.bizjournals.com/pittsburgh/news/2017/01/27/laurel-green-one-of-pas-medical-marijuana-hopefuls.html>

### *Despite law, medical marijuana may see local challenge in Pennsylvania*

April 24, 2016

<http://www.post-gazette.com/news/health/2016/04/24/Despite-law-medical-marijuana-may-see-local-challenge-in-Pennsylvania/stories/201604220171>

## Allegheny County

### *Pittsburgh City Council to decide zoning rules for medical marijuana industries*

November 14, 2016

<http://www.post-gazette.com/local/city/2016/11/14/Pittsburgh-City-Council-to-decide-on-medical-marijuana-zoning/stories/201611140051>

"...would direct dispensaries in the city to commercial zones. General or urban industrial zones would be designated for growing and processing operations.

Applicants would need to seek zoning variances in order to establish the businesses elsewhere in Pittsburgh.

At the nonprofit Pennsylvania Medical Cannabis Society, executive director Patrick K. Nightingale praised the Pittsburgh zoning effort as necessary guidance for entrepreneurs. State law requires applicants to demonstrate that their would-be business sites are zoned properly, he said.

"I don't think it's restrictive. I think it's the opposite. I think it says, 'We want these businesses,' " Mr. Nightingale said of the Pittsburgh zoning proposal.