

**OFFICIAL  
MUNICIPALITY OF BETHEL PARK  
ALLEGHENY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 9-11-23**

**AN ORDINANCE OF THE MUNICIPALITY OF BETHEL PARK, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF BETHEL PARK, AS CODIFIED AT CHAPTER 69 OF THE BETHEL PARK MUNICIPAL CODE, TO ADD PROVISIONS AND REGULATIONS ON MEDICAL MARIJUANA FACILITIES.**

**WHEREAS**, the Council of the Municipality of Bethel Park seeks to establish a process and standards for the establishment, construction, and operations of medical marijuana facilities, pursuant to the Pennsylvania Medical Marijuana Act, Act 16 of 2016, to allow for the integration of a permitted industry; and

**WHEREAS**, the Council of the Municipality of Bethel Park has determined that the public health, safety, convenience and welfare of the residents and property owners in the Municipality of Bethel Park will be benefited by the amendment of Chapter 69 the Bethel Park Code ("Zoning Ordinance") to add provisions and regulations for medical marijuana facilities in all Commercial and Manufacturing and Light Industrial Zoning Districts; and

**WHEREAS**, the Municipality of Bethel Park Planning and Zoning Commission reviewed the proposed text amendment at its meetings on January 11, 2023 and voted unanimously to recommend approval; and

**WHEREAS**, the Council of the Municipality of Bethel Park directed that a public hearing be held and that public notices were made regarding the hearing on the zoning amendment stating the time and place where residents and taxpayers were permitted to offer testimony on the proposed amendment; and

**WHEREAS**, the Council of the Municipality received public testimony at a public hearing held on the 11<sup>th</sup> day of September, 2023; and

**WHEREAS**, after hearing and consideration of the matter, the majority of the Council of the Municipality of Bethel Park voted to adopt the amendment to the Zoning Ordinance.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Council of the Municipality of Bethel Park, in meeting assembled, and it is hereby ordained and enacted by and with the authority of the same, as follows;

**SECTION 1:** The following Article II, shall be amended to add the following to the Zoning Ordinance:

- 69.8.1.1 All definitions in the Medical Marijuana Act, Act 16 of 2016, are hereby incorporated by reference.
- 69.8.1.2 **ACADEMIC CLINICAL RESEARCH CENTER** - An accredited medical school within this Commonwealth that operates or partners with an acute care hospital licensed within this Commonwealth.

69.8.44.2. MEDICAL MARIJUANA DISPENSARY - A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit issued by the Department of Health of the Commonwealth of Pennsylvania ("Department of Health") to dispense medical marijuana.

69.8.66.2 MEDICAL MARIJUANA GROWER/PROCESSOR - A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which holds a permit from the Department of Health to grow and process medical marijuana.

**SECTION 2:** The following Article VI, is hereby amended to include the following new subsections 60.29.1.i, 69.30.1.1.s, 69.31.1.21, and 69.32.1.13as follows:

69.29.1 Permitted Uses in a C-1 District.  
69.29.1.1.i Medical Marijuana Dispensary not exceeding 4,000 gross square feet.

69.30.1 Permitted Uses in a C-2 District.  
69.30.1.1.s Academic Clinical Research Center

69.31.1 Permitted Uses in a C-3 District.  
69.31.1.1.21 Academic Clinical Research Center

69.32.1 Permitted Uses in a C-4 District.  
69.32.1.1.13 Academic Clinical Research Center

**SECTION 3:** The following Article VII, is hereby amended to include the following new subsection 69.33.1.40 as follows:


69.33.1 Permitted Uses in a MLI District.  
69.33.1.40 Medical Marijuana Grower/Processor

**SECTION 4:** Effective Date. This Ordinance shall become effective thirty (30) days after adoption by Council in accordance with the Home Rule Charter of the Municipality and shall repeal all prior inconsistent ordinances and resolutions to the extent of such inconsistency.


**SECTION 5:** Severability. If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect.

ORDAINED AND ENACTED this 11<sup>th</sup> day of September, 2023.

ATTEST:  
PARK

  
Secretary/Manager

MUNICIPALITY OF BETHEL

  
President of Council

EXAMINED AND APPROVED by me, this 11 day of September, 2023.

  
Mayor