

Ordinance No. 2024-06

ORDINANCE AMENDING THE ZONING CODE WITH REGARD TO THE PERMITTED AND CONDITIONAL USES IN THE COMMERCIAL DISTRICT

I. **PURPOSE:** The purpose of this Ordinance is to amend the Mt. Ephraim Code, Chapter 525, Zoning, by revising the permitted and conditioned uses in the Commercial District.

The Borough has determined that it is in the best interest of the Borough to expand the list of permitted uses in the Commercial District to include uses similar to those already permitted in the Commercial District. The Borough has adopted a Cannabis Ordinance that permits a Class V licensed retail cannabis dispensary as a conditional use in the Commercial District. This Ordinance will recognize that conditional use.

II. **AMENDMENTS:**

A. Delete Sections 525-16B(1), (2) and (3) in their entirety and insert the following:

“§ 525-16B. Principal permitted uses:

1. Offices and banks. Offices may, in addition, be permitted to a group of four or more stores, without additional parking, provided that the offices do not exceed the equivalent of 20% of the gross floor area of the stores;
2. Restaurants and luncheonettes for sit-down dinners only and with no drive-in facilities;
3. Automobile sales;
4. Retail sales, including but not limited to food, wearing apparel, millenary, fabrics, hardware, lumber, jewelry, paint, wallpaper, appliances, flowers, gifts, books, stationary, office supplies, periodicals and newspapers, pharmacy, liquors, cleaners, hobbies and toys, and pets;
5. Repair shops for shoes, jewels, clothes and appliances;
6. Barber shops and beauty salons;
7. Cleaners and laundries;
8. Commercial schools, employment training centers, professional and technical training centers;
9. Dancing, music and martial arts schools;
10. Preschools, day care centers and adult daycare centers;
11. Conference facilities;
12. Car washes;

13. Clubs, lodges and meeting rooms of non-profit organizations;
14. Public parks, libraries, and public buildings;
15. Indoor recreation facilities;
16. Theaters;
17. Nurseries;
18. Taverns;
19. Motels;
20. Service stations and convenience stores with sale of petroleum products.”
21. Tattoo/Art Studios

Renumber existing Section 525-16B(4) as Section 525-16(21).

B. Add the following as Section 525-16C and renumber existing Sections 525-16C-J as Sections 525-26D-K:

“§ 525-16C. Conditional Use: A Class V licensed retail cannabis dispensary shall be permitted as a conditional use in this District, subject to the conditions set forth in the Mt. Ephraim Code, Chapter 86-1.

C. In renumbered Section 525-16F, following “Area and yard requirements,” insert “(If requirements are not provided for a specific use, the requirements for the most closely related use shall be applied.)”

D. In renumbered Section 525-16G, following “Minimum off-street parking”, insert “(If requirements are not provided for a specific use, the requirements for the most closely related use shall be applied.)”

III. EFFECTIVE DATE: This Ordinance shall take effect immediately on final passage approval and publication, as provided by law.

Date of Introduction:

Date of Adoption:

Approved: _____
Mayor Susan M. Carney

Attest: _____
Terry Shannon, Borough Clerk