



# City of Hudson, Ohio

## Staff Report

File Number: 23-166

Meeting Date: 12/12/2023

Version: 1

Status: Consent Agenda Ready

In Control: City Council

File Type: Resolution

**A RESOLUTION DECLARING A 12 MONTH MORATORIUM ON ACCEPTING FOR FILING AND CONSIDERATION, REVIEW AND APPROVAL OF ALL NEW APPLICATIONS FOR MARIJUANA RELATED ACTIVITIES IN THE CITY OF HUDSON; AND DECLARING AN EMERGENCY**

**Brief Description:** Proposed resolution to establish a moratorium regarding marijuana related activities while the State of Ohio establishes applicable regulations.

**Legislative History**

None

**Purpose & Explanation**

Issue Two regarding the legalization of recreational marijuana recently passed in the November 7, 2023 statewide election. The proposed resolution would establish a moratorium upon the acceptance for filing and consideration, review and approval of all new applications for marijuana related activities in the City of Hudson for a period of 12 months from the date of enactment of this Resolution.

The City of Hudson adopted a time specific moratorium in 2016 (16-146) in response to the state medical marijuana law adoption. The City of Hudson then adopted a Land Development Code Amendment prohibiting medical marijuana facilities (17-99, October 3, 2017).

**Legal Authority for Proposed Legislation**

Pursuant to Charter Section 6.04, Contracts & Purchasing:

Competitively bid and advertised for two consecutive weeks; bid tab attached: [Yes/No/NA])

Joint or Cooperative Purchase Program

Professional Services

Other [provide explanation]

**Fiscal Impact**

Currently Budgeted (Account #, \$)

Supplemental Appropriation Required (Account #, \$)

Appropriation Not Required

**Does this legislation require use of an emergency clause?**

Yes To allow for the moratorium to take effect on December 12, 2023.

No

**Suggested Action**

Staff recommends City Council review the proposed moratorium and proceed with action on December 12, 2023.

**Submitted by,**

Thomas J. Sheridan, City Manager

Greg Hannan, Community Development Director



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WHEREAS, Issue 2 regarding the legalization of recreational marijuana recently passed at the November 7, 2023, election; and

WHEREAS, the City of Hudson has no planning and zoning framework for the regulation of such activities; and,

WHEREAS, the State of Ohio does not have any current framework for regulation of such activities; and,

WHEREAS, City Council wishes to conduct studies with respect to creating a planning and zoning framework relating to recreational marijuana; and,

WHEREAS, it is expected that said studies will lead to significant additions to the City of Hudson's Codified Ordinances with respect to planning and zoning for such activities; and,

WHEREAS, the City further wishes to observe what framework the State of Ohio creates, and,

WHEREAS, the City Council deems it to be in the best interest of the City to provide for said reasonable moratorium.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, Summit County, Ohio that:

Section 1. There is hereby declared a moratorium upon the acceptance for filing and consideration, review, and approval of all new applications for marijuana related activities in the City of Hudson for a period of 12 months from the date of enactment of this Resolution.

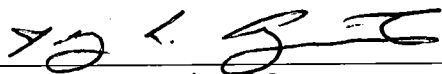
Section 2. This Resolution shall not be construed as prohibiting City Council from extending said moratorium if City Council deems, in its judgment, that good cause exists for the extension of said moratorium.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

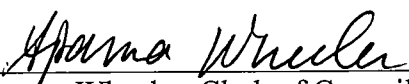
Section 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the City, and for

the further reason that it needs immediately addressed; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

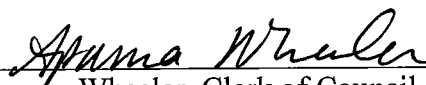
PASSED: December 12, 2023

  
\_\_\_\_\_  
Jeffrey L. Anzevino, Mayor

ATTEST:

  
\_\_\_\_\_  
Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 23-166 was duly passed by the Council of said Municipality on December 12, 2023.

  
\_\_\_\_\_  
Aparna Wheeler, Clerk of Council