



# City of Hudson, Ohio

## Staff Report With Text

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**Title:** A discussion concerning local regulations for the cultivation, processing, and dispensing or sale of medical marijuana.  
Executive Summary: City Council will consider options for implementing local regulations regarding medical marijuana cultivation, processing, and dispensing or sale.

**Sponsors:** David A. Basil

**Indexes:**

**Code sections:**

**Attachments:** 1. Sample Ordinance - Richmond Heights, 2. Sample Ordinance - Gates Mills

Date	Ver.	Action By	Action	Result
6/13/2017	1	City Council	presented	

**A discussion concerning local regulations for the cultivation, processing, and dispensing or sale of medical marijuana.**

**Executive Summary:** City Council will consider options for implementing local regulations regarding medical marijuana cultivation, processing, and dispensing or sale.

**Legislative History**

Ordinance No. 16-146; establishing a six-month moratorium on issuance of zoning certificates for cultivation, processing, distribution, or sale of medical marijuana in the City of Hudson; passed September 6, 2016.

Ordinance No. 17-27; extending moratorium for six months; passed February 7, 2017.

**Purpose & Explanation**

Through Substitute House Bill No. 523, the 131st Ohio General Assembly and Governor John Kasich authorized the use of marijuana for medical purposes and established the medical marijuana control program. Substitute House Bill 523 also gave this Council the authority to adopt regulations prohibiting or limiting the number of medical marijuana cultivators, processors, and dispensaries within the limits of the City.

Council may enact legislation to regulate or prohibit the cultivation, processing, dispensing, or sale of medical marijuana within the municipal limits of the City. Per the City Solicitor, and pursuant to Codified Ordinances Section 1203.03, such an Ordinance amending the City’s Planning & Zoning Code (Land Development Code) will require referral to the Planning Commission for a public hearing and recommendation to City Council, which must also conduct a public hearing before taking action.

Sample Ordinances are attached from the following communities:

1. Richmond Heights: an example of a community permitting the cultivation, processing, distribution, or sale of medical marijuana in certain zoning districts as permitted or conditional based on the type of business.
2. Gates Mills: an example of a community prohibiting these activities in a very simple zoning ordinance.

### Timing Considerations

The moratorium established by Ordinance No. 16-146 (and thereafter extended by Ordinance No. 17-27) will expire on August 7, 2017. Since an Ordinance amending the Planning & Zoning Code will require referral to the Planning Commission for a recommendation and public hearings both before the Planning Commission and City Council, staff anticipates that an extension of the current moratorium will be necessary.

### Fiscal Impact

- Currently Budgeted
- Supplemental Appropriation Required
- Appropriation Not Required.

### Suggested Action

Staff recommends that Council provide direction concerning legislation for the Council meeting on June 20, 2017.

### Submitted by,

Jane Howington, City Manager

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