



City of Hudson, Ohio

Staff Report With Text

File #: 17-100 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 6/2/2017 **In control:** City Council

On agenda: 6/20/2017 **Final action:** 6/20/2017

Title: AN ORDINANCE EXTENDING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA THROUGH DECEMBER 31, 2017, IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE LAW AND REGULATIONS, TO PLAN FOR LOCAL REGULATIONS RELATING TO SUCH USES, AND DECLARING AN EMERGENCY.

Executive Summary: The current moratorium prevents the City from accepting applications for, and issuing, zoning certificates for activities related to medical marijuana in order to perform proper planning related to such uses. This resolution would extend the current moratorium through December 31, 2017.

Sponsors: David A. Basil

Indexes: Community Development

Code sections:

Attachments: 1. Ordinance No. 17-100

Date	Ver.	Action By	Action	Result
6/20/2017	1	City Council	first reading	
6/20/2017	1	City Council	to suspend the rule requiring three readings	Pass
6/20/2017	1	City Council	adopted with rule suspension	Pass

AN ORDINANCE EXTENDING A MORATORIUM ON APPLICATIONS FOR, AND THE GRANTING OF, ZONING CERTIFICATES FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, DISTRIBUTION OR SALE OF MEDICAL MARIJUANA THROUGH DECEMBER 31, 2017, IN ORDER TO ALLOW THE CITY TO REVIEW APPLICABLE STATE LAW AND REGULATIONS, TO PLAN FOR LOCAL REGULATIONS RELATING TO SUCH USES, AND DECLARING AN EMERGENCY.

Executive Summary: The current moratorium prevents the City from accepting applications for, and issuing, zoning certificates for activities related to medical marijuana in order to perform proper planning related to such uses. This resolution would extend the current moratorium through December 31, 2017.

Legislative History

Resolution No. 16-146, establishing a six-month moratorium for cultivation, processing, distribution and sales of medical marijuana, passed September 6, 2016.

Resolution No. 17-27, extending the moratorium by six months, passed February 7, 2017.

Purpose & Explanation

On June 8, 2016, the Ohio General Assembly adopted and the Governor signed into law 131 Sub. H.B. 523 which became effective September 8, 2016. Among other things, the bill permits persons to use medical marijuana in Ohio upon the recommendation of physicians; creates state regulatory oversight of the cultivation, processing, sale, use and physician recommendations of the use of medical marijuana; authorizes the legislative authority of a local government to adopt regulations to prohibit, limit or otherwise regulate medical marijuana uses. The state has begun to set up the regulatory processes by which medical marijuana can be distributed and rules as to who can grow marijuana which could take up to two years.

Staff recommends that Council extend the moratorium on the granting of zoning certificates for these activities through December 31, 2017, to give itself, the staff, and Planning Commission time to study the implications of this legislation and to adopt local regulations as it finds necessary.

Timing Considerations

The moratorium established by Ordinance No. 16-146 (and thereafter extended by Ordinance No. 17-27) will expire on August 7, 2017. Timing allows for three readings if Council desires.

Fiscal Impact

Currently Budgeted

Supplemental Appropriation Required

X Appropriation Not Required.

Suggested Action

Staff recommends that Council adopt the proposed ordinance before the current moratorium expires on August 7, 2017.

Submitted by,

Jane Howington, City Manager

Mark Richardson, Community Development Director