

AN ORDINANCE AMENDING CHAPTERS 1205, 1206, AND 1213 OF THE LAND DEVELOPMENT CODE TO ESTABLISH A PERMANENT PROHIBITION RELATED TO MARIJUANA FACILITIES.

WHEREAS, the City of Hudson has the authority to regulate land use and zoning within its jurisdiction to protect the health, safety, and welfare of its residents; and

WHEREAS, Ohio Revised Code Sections 3780.25 authorizes the legislative authority of a municipal corporation to prohibit cannabis operations within its jurisdiction; and

WHEREAS, the City of Hudson finds that the operation of marijuana facilities, including but not limited to dispensaries, cultivation centers, processing facilities, and testing laboratories, poses potential concerns related to public safety, community character, and local law enforcement; and

WHEREAS, the City of Hudson has previously adopted temporary regulations restricting the establishment of marijuana facilities, and now seeks to make such prohibitions permanent; and

WHEREAS, the City of Hudson has determined that amending portions of Chapters 1205, 1206, and 1213 of the Land Development Code to expressly prohibit marijuana facilities is in the best interest of the community.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, Summit County, Ohio as follows:

Section 1. That Section 1205.12(c)(1)(N) of the Codified Ordinances of the City of Hudson be amended to provide as follows, with additions in **bold** and deletions being ~~stricken~~:

- N. Pawn shops, vape and smoke shops, tattoo parlors, **and** hookah lounges, ~~and recreational marijuana facilities.~~

Section 2. That Section 1206.01(d) of the Codified Ordinances of the City of Hudson be amended to provide as follows, with deletions being ~~stricken~~:

- (d) ~~Medical Marijuana.~~ The cultivation, processing, dispensing, or sale of ~~medical~~ marijuana, as defined in this Code, shall not be permitted in any zoning district within the City.

Section 3. That Section 1206.02(c)(34) of the Codified Ordinances of the City of Hudson be amended to provide as follows, with additions in **bold** and deletions being ~~stricken~~:

- (34) Special conditions for pawn shops, vape and smoke shops, tattoo parlors, **and** hookah lounges, ~~and recreational marijuana facilities.~~
- A. The use or building housing such use shall be located a minimum of 500 feet from the lot line of any residentially zoned parcel.
- B. The use or building housing such use shall be located a minimum of 500 feet from the lot line of any school.
- C. The use or building housing such use shall be located a minimum of 500 feet from the lot line of another use of the same category.

Section 4. That Section 1213.02(182) of the Codified Ordinances of the City of Hudson be amended to provide as follows, with additions in **bold** and deletions being ~~stricken~~:

~~(182) **RESERVED.** "Medical marijuana" shall mean "marihuana", as defined in R.C. §3719.01, that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose. In accordance with Section 1206.01(d), the cultivation, processing, dispensing, or sale of medical marijuana shall not be permitted in any zoning district within the City.~~

Section 45. That Section 1213.02(245.1) of the Codified Ordinances of the City of Hudson be amended to provide as follows, with additions in **bold**:

- (245.1) “~~Recreational~~ marijuana facilities” shall mean an establishment engaged in the cultivation, processing, dispensing, or sale of marijuana, cannabis, or related products as defined in R.C. Chapter 3780 Adult Use Cannabis and Chapter 3996 Medical Marijuana. **In accordance with Section 1206.01(d), the cultivation, processing, dispensing, or sale of recreational marijuana shall not be permitted in any zoning district within the City.**

Section 56. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 67. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 78. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on _____, 2025.

Aparna Wheeler, Clerk of Council