



Staff Report – Jefferson Township Zoning Amendment

Jurisdiction:	Jefferson Township Zoning Commission c/o John Phillips 62 County Road 5 N Zanesfield, OH 43360
Request:	Review of Jefferson Township Zoning Resolution text amendment, initiated by the Zoning Commission. The amendment adds/amends: <ol style="list-style-type: none"> 1. Article II Definitions 2. Section 1081 General Conditions for Medical Marijuana Entities
Location:	Jefferson Township is in Logan County.

Staff Analysis:	<p>This analysis breaks-down the proposal and provides a recommendation.</p> <p>1. Article II Definitions (RE: Medical Marijuana related definitions, Agriculture)</p> <ul style="list-style-type: none"> ○ The proposed medical marijuana related definitions are from the LUC Model Text. ○ The addition to the agriculture definition is a sentence at the end of the paragraph that reads, “Medical marijuana is not considered an ‘agricultural’ use pursuant to ORC 519.21 (D).” This further defines “agriculture” and is consistent with ORC 519.21 (the agriculture exemption). ○ Staff is not concerned about these changes. <p>2. Section 1081 General Conditions for Medical Marijuana Entities</p> <ul style="list-style-type: none"> ○ The Zoning Commission is considering prohibiting medical marijuana entities in the Township and the proposed text is adapted from the LUC Model Text. <p>3. Miscellaneous Notes</p> <ul style="list-style-type: none"> ○ Staff recommends the Township update the Zoning Resolution’s Table of Contents and page numbers. <p>Prosecutor’s Office A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. Before</p>
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Staff Report – Jefferson Township Zoning Amendment

	LUC takes official action on the proposal, the comments from that Office should be reviewed and included in any recommendation.
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Staff Recommendations:	Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning amendment. Those modifications include: 1) Update the Zoning Resolution’s Table of Contents and page numbers. The Township should consider the opinion of the Prosecutor’s Office when it is available.
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Z&S Committee Recommendations:	
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Jefferson Township Zoning Commission
Zanesfield, Ohio 43360

October 11, 2017

LUC Regional Planning Commission
PO Box 219
East Liberty, Ohio 43319

Dear LUC Regional Planning Commission:

Please review the attached changes to the Jefferson Township Zoning Resolution as proposed by the Jefferson Township Zoning Commission. We will have a scheduled Public Hearing on the proposed amendments on:
Nov. 16, 2017.

We have been working with Mr. Bodenmiller on the proposed amendments and agree during our reorganization meeting on Wednesday, October 11, 2017 ~~and agreed~~ to adopt text recommended by the LUC Regional Planning Commission. The language we agreed to adopt is attached along with a copy of the current resolution.

- 1. Adopt Medical Marijuana related definitions*
- 2. Create Section 10B1 General Conditions for Med. Mar. Entities*
- 3. Amend definition for Agriculture.*

The proposed amendment will regulate Medical Marijuana. Presently there is no language in the Jefferson Township Resolution concerning this issue.

The contact person is John Phillips, Chairman, Jefferson Township Zoning Commission, 62 County Road 5 N, Zanesfield, Ohio 43360.

Thank you for your time and consideration.

Sincerely,



John Phillips
Chairman, Jefferson Township Zoning Commission



Zoning Text Amendment Checklist

Date: 10-11-2017

Township: Jefferson

Amendment Title: Medical Marijuana Related Definitions, General Conditions for medical Marijuana Entities, + Add to Agriculture Definitions.

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

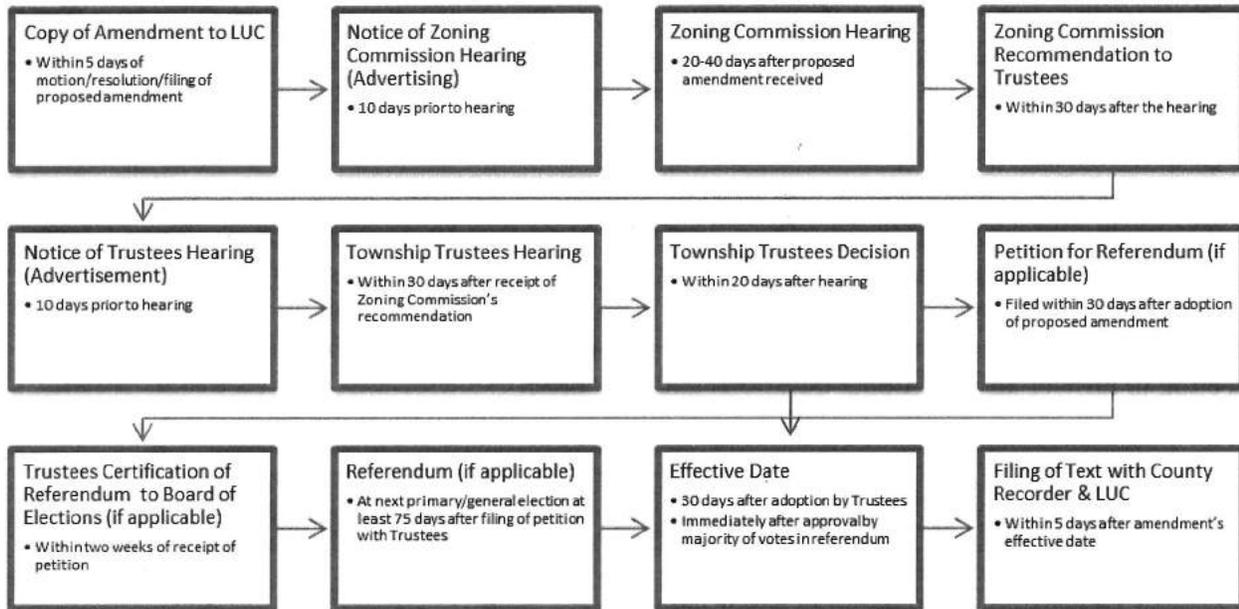
Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<u>N/A</u>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12



Township Zoning Amendment Process (ORC 519.12)





Modified
LUC MODEL ZONING TEXT
Medical Marijuana: Definitions

AMEND

Article II Definitions.

Medical marijuana related definitions:

- a) Cultivate. Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
- b) Cultivator. Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.
- c) Dispensary. Means an entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
- d) Dispense. Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
- e) Manufacture. Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- f) Marihuana. Has the same meaning as defined in ORC 3719.01, as amended from time to time.
- g) Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- h) Medical Marijuana. Has the same meaning as defined in ORC 3796.01, as amended from time to time.
- i) Medical Marijuana Entity. Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- j) Medical Marijuana Processor. Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- k) Testing Laboratory. Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.



Modified

LUC MODEL ZONING TEXT

Medical Marijuana: General Conditions (Version 1)

CREATE

Section 1081 General Conditions for Medical Marijuana Entities.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations that provide for State-authorized medical marijuana land uses consistent with ORC 519 and ORC 3796. ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the *unincorporated area of the township*.

1. Not an Agricultural Use. Medical marijuana is not considered an "agricultural" use pursuant to ORC 519.21 (D).
2. Zoning Districts. No medical marijuana cultivator, processor, or dispensary shall be located in a zoning district where it is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, or dispensary shall be permitted as a home occupation.
3. Mobile Building Prohibited. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.

AMEND

Article II Definitions.

Also, amend Article II. Add to the end of the "agriculture" definition the following text:

"medical marijuana is not considered an "agricultural" use pursuant to ORC 519.21(D).



Staff Report – Zane Township Zoning Amendment

Jurisdiction:	Zane Township Zoning Commission c/o Paul Gantt 10918 Township Road 157 East Liberty, OH 43319 (614) 206-2172
Request:	Review of Zane Township Zoning Resolution text amendment, initiated by the Zoning Commission. The amendment adds/amends: 1. Article II Definitions 2. Section X Medical Marijuana Entities
Location:	Zane Township is in Logan County.

Staff Analysis:	<p>This analysis breaks-down the proposal and provides a recommendation.</p> <p>1. Article II Definitions (RE: Medical Marijuana related definitions)</p> <ul style="list-style-type: none"> ○ The proposed medical marijuana related definitions are from the LUC Model Text. ○ Staff is not concerned about these changes. <p>2. Section X Medical Marijuana Entities</p> <ul style="list-style-type: none"> ○ The Zoning Commission is considering prohibiting medical marijuana entities in the Township and the proposed text is adapted from the LUC Model Text. ○ Staff recommends this amendment be placed in <i>Article X</i> and an appropriate section number be assigned to it; there is no Section X. Staff recommends Section 1039, which would be between 1038 General Conditions for Adult Entertainment Use and 1040 Roadside Produce Stands. <p>3. Miscellaneous Notes</p> <ul style="list-style-type: none"> ○ Staff recommends the Township update the Zoning Resolution’s Table of Contents and page numbers. <p>Prosecutor’s Office A copy of this proposal was forwarded to the County Prosecutor’s Office for consideration and comment. Before LUC takes official action on the proposal, the comments from</p>
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Staff Report – Zane Township Zoning Amendment

	that Office should be reviewed and included in any recommendation.
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Staff Recommendations:	Staff recommends <i>APPROVAL WITH MODIFICATIONS</i> of the proposed zoning amendment. Those modifications include: <ol style="list-style-type: none">1) Move Section X Medical Marijuana Entities to Section 1039.2) Update the Zoning Resolution’s Table of Contents and page numbers. The Township should consider the opinion of the Prosecutor’s Office when it is available.
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Z&S Committee Recommendations:	
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Zoning Text Amendment Checklist

Date: 10/16/2017 Township: ZANE

Amendment Title: MEDICAL MARIJUANA

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date of Request (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Non-LUC Member Fee, If applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

Date of Request.

OCT (mo) 16 (date), 2017

Logan-Union-Champaign Regional Planning Commission
c/o Brad Bodenmiller
PO Box 219
East Liberty, OH 43319
bradbodenmiller@lucplanning.com

RE: Zoning Text Amendment Application, ZANE Township, LOGAN County

Dear LUC Regional Planning Commission Committee Members:

The ZANE Township Zoning Commission met at 8:00 PM on WED (day), OCT (mo) 11 (date), 2017. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

The proposal establishes Section 1041 OF ARTICLE X.

Included with this cover letter, you will find a copy of the existing Zoning Resolution and proposed alterations. Please refer to the attachments for further information.

Public Hearing.

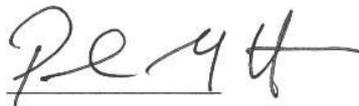
The Zoning Commission will hold a public hearing concerning the proposed amendments at 7:00 PM on TUESDAY (day), NOVEMBER (mo) 14 (date), 2017, at the address of 11845 ST RT 287 EAST LIBERTY, OH 43319.

Point of Contact.

Please consider me the Township's point of contact for this matter. My contact information is below:

PAUL GANTT
10918 TOWNSHIP RD 157
EAST LIBERTY, OH 43319
614.206.2172

Sincerely,



Attachments.

1. Existing Township Zoning Resolution
2. Proposed changes

Proposed changes to ZANE Township Zoning Resolution.

Add to:

Article II Definitions.

Medical marijuana related definitions:

- a) Cultivate. Means to grow, harvest, package, and transport medical marijuana pursuant to ORC 3796.
- b) Cultivator. Means an entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana as permitted under ORC 3796.
- c) Dispensary. Means an entity licensed pursuant to ORC 3796 and any rules promulgated thereunder to sell medical marijuana to qualifying patients and caregivers.
- d) Dispense. Means the delivery of medical marijuana to a patient or the patient's registered caregiver that is packaged in a suitable container appropriately labeled for subsequent administration to or use by a patient as permitted by Ohio law in accordance with Ohio law.
- e) Manufacture. Means the process of converting harvested plant material into marijuana extract by physical or chemical means for use as an ingredient in a medical marijuana product.
- f) Marihuana. Has the same meaning as defined in ORC 3719.01, as amended from time to time.
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- i) Medical Marijuana Entity. Means a medical marijuana cultivator, processor, dispensary, or testing laboratory licensed by the State of Ohio.
- j) Medical Marijuana Processor. Means an entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- k) Testing Laboratory. Means an independent laboratory located in Ohio that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Create:

Section X Medical Marijuana Entities.

ORC 519.21 and ORC 3796 allow regulation of the location of medical marijuana cultivators, processors, or dispensaries within the unincorporated area of the township. In the interest of protecting the public health, safety, and general welfare, this section prohibits medical marijuana land uses consistent with ORC 519 and ORC 3796.

1. Not an Agricultural Use. Medical marijuana is not considered an “agricultural” use pursuant to ORC 519.21 (D).
2. Zoning Districts. Medical marijuana cultivators, processors, and dispensaries are prohibited within the unincorporated area of the township. No medical marijuana cultivator, processor, or dispensary shall be located in any zoning district. No medical marijuana cultivator, processor, or dispensary shall be permitted as a home occupation. No medical marijuana cultivator, processor, or dispensary shall be located within a mobile building.



Dave Gulden, AICP
Director

Jim Holycross
President

Jeremy Hoyt
Vice-President

Dave Faulkner
2nd Vice-President

Robert A. Yoder
Treasurer

Zoning & Subdivision Committee

Thursday, November 9, 2017

The Zoning and Subdivision Committee met in regular session on Thursday, November 9, 2017 at 12:15 pm at the LUC East Liberty Office.

Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Tyler Bumbalough, Scott Coleman, Wes Dodds, Chad Flowers, Charles Hall, Mark Mowery for Steve McCall, Heather Martin, Bill Narducci, Vince Papsidero, Tom Scheiderer, Jeff Stauch and Andy Yoder. Absent member was Dave Gulden.

Guests included: Adam Moore, City of Urbana; Don Hunter, SREG; Laura MacGregor Comek, Laura M. Comek Law LLC; Brian Elliott; Wes Smith, SREG; Patricia Brown, EMHT; Mark Spagnuolo, Jerome Township; Jim Holycross, City of Bellefontaine.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Charles Hall moved a motion to approve the minutes from the October 12, 2017 meeting as written and Andy Yoder seconded. All in favor.

1. Review of Jerome Village VN-3 Preliminary Plat (Union County) – Staff Report by Brad Bodenmiller
 - Andy Yoder moved a motion to recommend accepting the request to table Jerome Village VN-3 Preliminary Plat by Justin Wollenberg and Charles Hall seconded. All in favor.
 - Charles Hall reported that they have met with the group and had discussions and they should be moving forward.
2. Review of Jerome Grand at Jacquemin Farms Preliminary Plat (Union County) – Staff Report by Brad Bodenmiller
 - Bill Narducci – The approval of the TIS is a big item for us; it needs approved before we move forward with construction drawings; being that these are not construction documents, we don't have an issue recommending approval now; but it has to be approved before approving construction drawings; Dublin never received a copy of the updated TIS so I forwarded that information on to them.
 - Vince Papsidero – Dublin Engineer's office does support the Union County Engineer's office recommendation.



Logan-Union-Champaign regional planning commission

Dave Gulden, AICP
Director

Jim Holycross
President

Jeremy Hoyt
Vice-President

Dave Faulkner
2nd Vice-President

Robert A. Yoder
Treasurer

- Jeff Stauch moved a motion to recommend approval of the Jerome Grand at Jacquemin Farms Preliminary Plat with staff report comments and Tyler Bumbalough seconded. All in favor.
- 3. Review of Jefferson Township Text Amendment (Logan County) – Staff Report by Brad Bodenmiller
 - Tom Scheiderer moved a motion to recommend approval of the Jefferson Township Text Amendment and Vince Papsidero seconded. All in favor.
- 4. Review of Zane Township Text Amendment (Logan County) – Staff Report by Brad Bodenmiller
 - Wes Dodds asked for clarification regarding the ag exception in Jefferson and not in Zane.
 - Brad Bodenmiller stated the General Conditions section of both amendments reads medical marijuana is not considered an agricultural use. Jefferson Township added this to its agriculture definition.
 - Tom Scheiderer moved a motion to recommend approval of the Zane Township Text Amendment and Wes Dodds seconded. All in favor.

The Zoning and Subdivision Committee adjourned at 12:33 pm with Mark Mowery moving the motion to adjourn and Andy Yoder seconding. All in favor.

10820 St Rt 347, PO Box 219
East Liberty, Ohio 43319
• Phone: 937-666-3431 •

• Email: luc-rpc@lucplanning.com • Web: www.lucplanning.com