



## LUC MODEL ZONING TEXT

### Adult Use Cannabis: Definitions

#### Article **XXXX** Definitions.

Adult use cannabis related definitions:

- a) Adult Use Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, "adult use cannabis" ~~Has~~ has the same meaning as "marihuana" as defined in ORC 3719, as amended from time to time.
- b) Adult Use Cannabis Operator. Pursuant to ORC 3780 as amended or replaced from time to time, "adult use cannabis operator" ~~Means~~ means an adult use cultivator, processor, and dispensary.
- c) Cannabis. Pursuant to ORC 3780 as amended or replaced from time to time, Has "cannabis" ~~has~~ the same meaning as "marihuana" as defined in ORC 3719, as amended from time to time.
- d) Cultivation Facility. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivation facility" ~~Means~~ means a facility where a cultivator is licensed by the State of Ohio to operate.
- e) Cultivate. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivate" ~~Means~~ means to grow, harvest, package, and transport adult use cannabis.
- f) Cultivator. Pursuant to ORC 3780 as amended or replaced from time to time, "cultivator" ~~Means~~ means an entity or person licensed by the State of Ohio to grow, harvest, package, and transport adult use cannabis.
- g) Dispensary. Pursuant to ORC 3780 as amended or replaced from time to time, "dispensary" ~~Means~~ means an entity or person licensed by the State of Ohio to sell adult use cannabis.
- h) Manufacture. Pursuant to ORC 3780 as amended or replaced from time to time, "manufacture" ~~Means~~ means the process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product.
- i) Marihuana. Pursuant to ORC 3780 as amended or replaced from time to time, "marihuana" ~~Has~~ has the same meaning as "marihuana" as defined in ORC 3719, as amended from time to time.
- j) Marijuana. Pursuant to ORC 3780 as amended or replaced from time to time, "marijuana" ~~Has~~ has the same meaning as "marihuana" as defined in ORC 3719, as amended from time to time.



# Logan-Union-Champaign regional planning commission

Director: Bradley J. Bodenmiller

- k) Processor. Pursuant to ORC 3780 as amended or replaced from time to time, Means “processor” means an entity or person licensed by the State of Ohio to manufacture adult use cannabis products.
- l) Testing Laboratory. Pursuant to ORC 3780 as amended or replaced from time to time, Means “testing laboratory” means an independent laboratory licensed by the State of Ohio to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research, or analysis.

**LUC Model Text DRAFT (Zoning & Subdivision Committee; MONTH DAY, YEAR)**

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## LUC MODEL ZONING TEXT

### Adult Use Cannabis: General Conditions (Version 1)

#### Section **XXXX** General Conditions for Adult Use Cannabis Operators.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the *unincorporated area of the township/municipal corporation*.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of adult use cannabis shall not be considered an "agricultural" use. *Additional action (by resolution) may be required for townships to make this statement effective.*
2. Zoning Districts. No adult use cannabis operator including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No adult use cannabis cultivation, manufacture, and/or sale by an adult use cannabis operator shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
3. Mobile Building Prohibited. No adult use cannabis cultivator, processor, or dispensary shall be located within a mobile building.

LUC Model Text DRAFT (Zoning & Subdivision Committee; MONTH DAY, YEAR)



## LUC MODEL ZONING TEXT

### Adult Use Cannabis: General Conditions (Version 2)

#### Section XXXX General Conditions for Adult Use Cannabis Operators.

In the interest of protecting the public health, safety, and general welfare, this section establishes zoning regulations for State-authorized adult use cannabis cultivators, processors, and dispensaries within the *unincorporated area of the township/municipal corporation*.

1. Not an Agricultural Use. The cultivation, manufacture, and/or sale of adult use cannabis shall not be considered an "agricultural" use. *Additional action (by resolution) may be required for townships to make this statement effective.*
2. Zoning Districts. No adult use cannabis operator including a cultivator, processor, and/or dispensary shall be located in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. No adult use cannabis cultivation, manufacture, and/or sale by an adult use cannabis operator shall occur in a zoning district where the use is not explicitly listed as a permitted or conditionally permitted use. Furthermore, no cultivator, processor, and/or dispensary shall operate as a home occupation.
3. Mobile Building Prohibited. No adult use cannabis cultivator, processor, or dispensary shall be located within a mobile building.
- ~~4. Odor. In addition to Section XXXX Special Provisions for Commercial and Industrial Uses, odors traveling off-site and being detectable by a person with a normal sense of smell from a public place, the right-of-way, and other lots are prohibited.~~
- ~~5-4.~~ Distance from Other Uses. Pursuant to ORC 3780, no cultivator, processor, or dispensary shall be located within five hundred (500) feet of the boundaries of a lot having situated on it a church, public library, public playground, public park, or school. The distance shall be measured as the shortest straight line from property line to property line. If there is an exception to this distance requirement provided in ORC 3780 or ORC 3796, this requirement shall not apply.
- ~~6-5.~~ Distance from Other Dispensaries. No adult use cannabis dispensary shall be located within XXXX feet of a lot having situated on it another adult use cannabis dispensary and/or medical marijuana dispensary. The distance shall be measured as the shortest straight line from property line to property line. However, this requirement shall not prevent the co-location of an adult use cannabis dispensary and a medical marijuana dispensary on the same lot.
- ~~7-6.~~ Total Dispensaries Permitted. No more than XXXX adult use cannabis dispensaries shall be permitted to locate and/or operate within the *unincorporated area*



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of the township/municipal corporation. However, this requirement shall not prevent the co-location of an adult use cannabis dispensary and a medical marijuana dispensary on the same lot.

~~8-7.~~ Drive-Throughs at Dispensaries. Sufficient vehicle stacking shall occur within the drive for all drive-through lanes. A minimum of six vehicle stacking spaces is required.

~~9-8.~~ Dumpsters/Service Areas/Storage Areas. Loading areas, dumpsters, and refuse areas shall be consolidated and/or shared where possible. Dumpsters, refuse areas, and storage areas shall be enclosed on all sides by fencing, walls, or a combination thereof and screened from view by landscaping on all sides except along gated access. The intent of this requirement is to minimize the impacts and view of such uses from the right-of-way and from adjacent lots.

~~10-9.~~ Lighting. All exterior light sources shall be concealed (100% cutoff) to minimize the amount of light pollution affecting neighboring properties. In any building or other structure where adult use cannabis is cultivated, the cultivator shall utilize blackout screens, retractable window coverings, or other methods to contain or minimize light pollution affecting neighboring properties and the night sky.

~~11-10.~~ Applications. In addition to other requirements, any zoning application provided for in this ordinance/resolution—including and not limited to a zoning certificate, zoning permit, variance application, or conditional use application—shall include:

- a. A scale map showing the lots involved in the request comply with the requirements for Distance from Other Uses, Distance from Other Dispensaries, and Total Dispensaries Permitted.
- b. A plot plan of the site drawn to a reasonable scale that designates the different areas of operation occurring exterior. This shall include parking spaces, parking space dimensions, and drive widths.
- c. A photometric plan depicting proposed light intensity and exterior light sources. This shall specify proposed poles and luminary design, maximum height, lighting source, wattage, shielding, and any other information necessary to evaluate the proposed lighting.

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