

## ORDINANCE NO. 66-17

BY: **VITO DIPIERRO, JEFFREY CROSSMAN**  
(By Request – Mayor)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1171.03 “SCHEDULE OF PERMITTED BUILDINGS AND USES”, SECTION 1171.07 “SCHEDULE OF YARD AND HEIGHT REGULATIONS” OF CHAPTER 1171 “INDUSTRIAL DISTRICTS”, AND SECTION 1177.03 “PERMITTED BUILDING AND USES” OF CHAPTER 1177 “INDUSTRIAL PARK DISTRICTS” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

WHEREAS, HB 523 (131<sup>st</sup> General Assembly), effective on September 8, 2016, legalizes medical marijuana in the State of Ohio; and

WHEREAS, the Council of the City of Parma has determined that it is in the best interest of the City to permit the cultivation, processing, testing, and dispensing of medical marijuana within the City of Parma within certain zoning districts in the City; and

WHEREAS, amendments to Sections 1171.03, 1171.07, and 1177.03 of the City’s Codified Ordinances will be necessary in order to permit the cultivation, processing, testing, and dispensing of medical marijuana within Industrial zoning districts and Industrial Park zoning districts in the City; and

WHEREAS, it is necessary for this Ordinance to go into effect immediately upon its passage for the reason that applications to the State of Ohio for grow/cultivation facilities may be filed with the State within the month of May, 2017, and applicants will need to know as soon as possible whether a particular location that is being applied for is a jurisdiction within which medical marijuana grow/cultivation facilities are permitted.

NOW, THEREFORE, be it ordained by the Council of the City of Parma, State of Ohio, that:

Section 1. That section 1171.03 of the Codified Ordinances of the City of Parma, “Schedule of Permitted Buildings and Uses”, is hereby amended to add section (t) “Medical marijuana cultivation facilities, processing facilities, testing laboratories, and dispensaries” uses to zoning district Industrial “A” only, as read in Exhibit “A” hereto with added text set forth in boldface and underscored.

Section 2. That section 1171.07 of the Codified Ordinances of the City of Parma, “Schedule of Yard and Height Regulations”, is hereby amended to add section (14) “Medical marijuana cultivation facilities, processing facilities, testing laboratories, and dispensaries”, as read in Exhibit “B” hereto with added text set forth in boldface and underscored.

Section 3. That Existing Section 1177.03 of the Codified Ordinances of the City of Parma, “Permitted Buildings and Uses”, is hereby amended to provide as follows with added text set forth in boldface and underscored:

**1177.03 PERMITTED BUILDINGS AND USES**

The following schedule enumerates all main, conditional and accessory buildings and uses, which are permitted in the Industrial Park District.

- (a) Permitted Buildings and Uses.
- (1) Manufacturing of the following products and processes:
    - A. Aircraft and automotive.
    - B. Chemicals (household and industrial).
    - C. Electric products and equipment, including microprocessors, electronic circuitry and related materials.
    - D. Heating and plumbing equipment.
    - E. Metal products, including business machines, instruments, agricultural and industrial machinery, fabrication of cabinets and furniture, stamping and extrusion of small parts.
    - F. Paper and plastic products, including related equipment.
    - G. Tools and hardware, including hand tools, cutlery, die and pattern making, other machine shops.
    - H. Wood products, including furniture, boxes and crates.
    - I. Musical, medical and scientific instruments and appliances; business machines.
    - J. Electrical equipment.
    - K. Hand tools, cutlery and kitchen utensils.
    - L. Metal furniture.
    - M. Cameras, watches and clocks.
    - N. Cosmetics and drugs, including pharmaceutical materials.
    - O. Toys, sporting goods and athletic equipment.
    - P. Clothing and other textiles.”
  - (2) Industrial service shops, including:
    - A. Contractors.
    - B. Plumbing.
    - C. Heating, venting and air conditioning.
    - D. Painting.
    - E. Landscaping.
    - F. Ornamental iron.
    - G. Upholstering.
    - H. Monumental works.
    - I. Welding shops.
  - (3) Food and Drink establishments; bakeries; creameries; ice manufacturing establishments; soft drink bottling establishments; wineries.
  - (4) Laboratories, including research, experimental testing.
  - (5) All types of printing, engraving, binding and publishing establishments.
  - (6) Public or private utilities.
  - (7) Outdoor storage of materials in side or rear yards, but not within fifty feet of a street or residence district boundary line. Such storage shall be screened completely from public view by landscaping or a close-boarded fence.
  - (8) Warehousing, including storage and wholesale establishments, but excluding truck terminals.
  - (9) Day care (conditionally or accessory).
  - (10) Heliports. (See Section 1177.09. Heliport Regulations.)
  - (11) Office buildings:
    - A. Administrative; executive; financial; governmental; professional, including medical laboratories and clinics.

B. Sales offices including telephone call centers.

**(12) Medical marijuana cultivation facilities, processing facilities, testing laboratories, and dispensaries.**

(b) Accessory Uses.

- (1) Off-Street parking and loading facilities.
- (2) Signs.
- (3) Maintenance/storage facilities within wholly enclosed buildings.
- (4) Employee lunch rooms.
- (5) Exercise or physical therapy rooms.
- (6) Incineration facilities within an approved structure.
- (7) Day-care facilities.

Section 4. That only a portion of Section 1171.03 "Schedule of Permitted Buildings and Uses", Section 1171.07 "Schedule of Yard and Height Regulations" of Chapter 1171 "Industrial Districts", and Section 1177.03 "Permitted Buildings and Uses" of Chapter 1177 "Industrial Park Districts" of the Codified Ordinances of the City of Parma, as they existed heretofore, are hereby repealed.

Section 5. That 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 the 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.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to permit uses associated with medical marijuana operations as specified herein to conduct business in the City of Parma, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_ PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
CLERK OF COUNCIL

FILED WITH THE MAYOR: \_\_\_\_\_ MAYOR, CITY OF PARMA, OHIO