

3/4/24

ORDINANCE NO. 29-24

BY: KELLY ZACHARIAS  
(By Request – Community Services Director)

**AN ORDINANCE AMENDING PARMA CODIFIED ORDINANCES SECTIONS 1171.03 (t), 1171.07 (a)(14), AND 1177.03 (k) RELATING TO MARIJUANA CULTIVATION, PROCESSING, TESTING, AND DISPENSING IN THE CITY OF PARMA.**

WHEREAS, on November 7, 2023, Ohio voters approved Ohio Issue 2, the Marijuana Legalization Initiative, which legalized adult use cannabis in the State of Ohio, and further allows for its cultivation, processing, possession, sale, and purchase in the State of Ohio; and

WHEREAS, on February 20, 2024, City Council rescinded Ord. 188-23 which placed a moratorium on the issuance of permits related to the cultivation, processing, testing, and dispensing of adult use marijuana in the City of Parma; and

WHEREAS, amendments to Sections 1171.03, 1171.07, and 1177.03 of the Parma Codified Ordinances are necessary in order to permit the cultivation, processing, testing, and dispensing of adult use marijuana within Industrial Zone districts and Industrial Park Zone districts in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That existing division (t) of section 1171.03 of the Parma Codified Ordinances (“Schedule of Permitted Buildings and Uses”) is hereby amended to delete the word “Medical” from the term “Medical marijuana” uses in Zoning District Industrial “A”, as read in Exhibit “A” hereto with the deleted word shown in red and crossed out text.

Section 2. That existing division (t) of section 1171.03 of the Parma Codified Ordinances (“Schedule of Permitted Buildings and Uses”) is hereby amended to add footnote number 4 stating “See Section 3796.30 of the Ohio Revised Code for activities prohibited near Schools, Churches, Libraries, Playgrounds, or Parks relating to State licensed marijuana cultivation facilities, processing facilities, testing laboratories, and dispensaries.” Said amendment is set forth in Exhibit “A” hereto shown in boldfaced and underscored text.

Section 3. That existing division (a)(14) of section 1171.07 of the Parma Codified Ordinances (“Schedule of Yard and Height Regulations”) is hereby amended to delete the word “Medical” from the term “Medical marijuana” uses in Zoning District Industrial “A”, as read in Exhibit “B” hereto with the deleted word shown in red and crossed out text.

Section 4. That existing division (k) of section 1177.03 of the Parma Codified Ordinances (“Permitted Buildings and Uses”) is hereby amended to delete the word “Medical” from the term “Medical marijuana” uses in Industrial Park zoning districts, as read in Exhibit “C” hereto with the deleted word shown in red and crossed out text.

Section 5. That existing division (k) of section 1177.03 of the Parma Codified Ordinances (“Permitted Buildings and Uses”) is hereby amended to add footnote number 4 stating “See Section 3796.30 of the Ohio Revised Code for activities prohibited near Schools, Churches, Libraries, Playgrounds, or Parks relating to State licensed marijuana cultivation facilities, processing facilities, testing laboratories, and dispensaries.” Said amendment is set forth in Exhibit “C” hereto shown in boldfaced and underscored text.

Section 6. That only a portion of Section 1171.03 (“Schedule of Permitted Buildings and Uses”) and Section 1171.07 (“Schedule of Yard and Height Regulations”) of Chapter 1171 “Industrial Districts”, and further of Section 1177.03 (“Permitted Buildings and Uses”) of Chapter 1177 “Industrial Park Districts” of the Parma Codified Ordinances, as they existed heretofore, are hereby repealed.

Section 7. 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 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare, and further because this measure is necessary to let applicants for state issued marijuana operations licenses as specified herein know as soon as possible whether such operations are permitted uses within certain zoning districts in the City. Therefore, this Ordinance shall go into immediate effect upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise at the earliest time allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
PRESIDENT OF COUNCIL

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

APPROVED: \_\_\_\_\_

FILED WITH  
THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR, CITY OF PARMA, OHIO