

ORDINANCE NO. 2024 - 058

**AN ORDINANCE AUTHORIZING AMENDMENTS TO THE CITY OF KENT'S ZONING CODE IN ORDER TO INCORPORATE NEW LAND USE OF "ADULT USE CANNABIS (RECREATIONAL) FACILITIES" AND DECLARING AN EMERGENCY.**

**WHEREAS**, on January 17, 2024, Kent City Council authorized a temporary moratorium for "adult use cannabis operators, testing laboratories, and individuals; and

**WHEREAS**, on May 21, 2024, staff met with the Planning Commission to discuss the proposed text amendments and voted unanimously to recommend Council approve all the proposed text amendments; and

**WHEREAS**, the following chapters will be amended:

- 1) Chapter 1102: Definitions;
- 2) Chapter 1103: Zoning Districts, Land Use, and Zoning Map;
- 3) Chapter 1105: Conditions Applicable to Specific Land Uses;
- 4) Chapter 1107: Parking, Loading and Access Management.

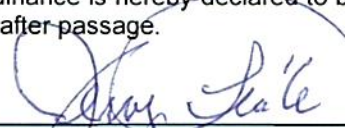
**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio:

**SECTION 1.** That Kent City Council does hereby authorize the amendments of the City of Kent's Zoning Code, and is more fully set forth in Exhibit "A", attached hereto and incorporated herein.


**SECTION 2.** 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 this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: JUNE 19, 2024  
Date

  
\_\_\_\_\_  
Jerry T. Fiala  
Mayor and President of Council

EFFECTIVE: JUNE 19, 2024  
Date

ATTEST:   
\_\_\_\_\_  
Amy Wilkens, CMC  
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION NO. 2024-058 ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON June 19, 2024.

(SEAL)

  
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AMY WILKENS, CMC  
CLERK OF COUNCIL



SECTION 1105.66: VAPE SHOPS

(numbering will shift for other listed land uses)

**(A) Potential Concerns.**

(1) Hours of Operation.

(2) Lighting.

**(B) Conditions.**

(1) Every vape shop must not be located within five hundred (500) feet of another vape shop.

SECTION 1105.01: ADULT USE CANNABIS (RECREATIONAL) FACILITIES

(numbering will shift for other listed land uses)

**(A) Potential Concerns.**

(1) Hours of Operation.

**(B) Conditions.**

(1) Such uses must be conducted at least five hundred (500) feet from any residential district.

(2) The operation and maintenance of such use must be such that they will not be hazardous, noxious, or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matters or water-carried wastes.

(3) Every adult use cannabis facility must comply with all licensing requirements of the Ohio Revised Code Chapter 3780 Et. Seq., as amended. Such facilities must operate in compliance with every State of Ohio law and City ordinance.

(4) Every adult use cannabis facility must not be located within five hundred (500) feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, or public park. This does not apply to research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

(5) Every adult use cannabis facility must not be located within five hundred (500) feet of a community addiction services provider.

(6) Every adult use cannabis facility must not be located within five hundred (500) feet of another adult cannabis facility.

SECTION 1107.05: MINIMUM NUMBER OF PARKING SPACES REQUIRED

(A) The following standards must be used in order to determine the minimum number of parking spaces required for the specified use:

<u>Use</u>	<u>Parking Requirements</u>
Adult Use Cannabis Facilities	One (1) parking space per 500 sq. ft.