



# PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON MAY 20, 2025

---

## Pierce Township – Zoning Text Amendments

---

**APPLICANT:** Pierce Township Trustees  
950 Locust Corner  
Pierce Township, Ohio 45245

**REQUEST:** Modifications to the Pierce Township Zoning Resolution

**PROPOSED TEXT AMENDMENTS:** Amendments to Section 15.02 to provide definitions, Section 5.04 to provide Use-Specific Regulations, Table 5.04-I and Table 19.02-01 to provide additional categories for Use Tables

**CONTENT OF REPORT:**  
Exhibit A: Proposed text amendments

**STAFF ANALYSIS:**

Pierce Township has proposed modifications to multiple sections of the Township Zoning Resolution to include definitions, use-specific regulations, and updated tables related to cannabis and marijuana that reflect recent changes at the state level regarding recreational marijuana production and sales.

The proposed text amendments are not in conflict with the provisions established in Section 519.12 of the Ohio Revised Code relative to the Township Zoning Authority and are consistent with actions meant to protect and preserve public health and safety. As the recommendation of the Planning Commission is nonbinding, staff acknowledges that the proposed text amendments are permissible, and the Township has the authority to process them according to their discretion.

**RECOMMENDATION:**

Staff recommends a motion to **RECOMMEND APPROVAL** of the Pierce Township Zoning Text Amendments as submitted.

## 15.02: Definitions

**Adult Use Cannabis.** Or "Cannabis" or "Marijuana" means marihuana as defined in Section 3719.01 of the Ohio Revised Code.

**Adult Use Cannabis Cultivator.** A level I adult use cultivator or a level II adult use cultivator who is licensed pursuant to section 3780.12 of Ohio Revised Code, where cultivate means to grow, harvest, package, and transport adult use cannabis.

**Adult Use Cannabis Dispensary.** A person licensed pursuant to Section 3780.15 of the Ohio Revised Code and any rules promulgated thereunder to sell adult use cannabis as authorized.

**Adult Use Cannabis Operator.** A level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor and an adult use dispensary in accordance with Ohio Revised Code Section 3780.01.

**Adult Use Cannabis Processor.** A person licensed pursuant to Section 3780.14 of the Ohio Revised Code, this chapter and any rules promulgated thereunder to manufacture adult use cannabis as authorized.

**Adult Use Cannabis Testing Laboratory.** An independent laboratory that has been issued a license by the Division of Cannabis Control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research or analysis.

**Adult Use Cannabis License.** A license by the Division of Cannabis Control to a license applicant pursuant to chapter 3780 of the Revised Code and the rules adopted thereunder for marijuana cultivators, processors, dispensaries, and testing laboratories.

**Marijuana.** *See Adult Use Cannabis.*

**Marijuana Manufacture.** 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. *See also Adult Use Cannabis Processor.*

**Medical Marijuana.** Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

**Recreational Marijuana.** Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for any other purpose other than for medical use.

**Table 5.04- 1: Nonresidential Use Table**

Use	NB	GB	I	RR	Additional Regulations
Adult Use Cannabis Cultivator					5.04 (T)
Adult Use Cannabis Dispensary		PC	PC		5.04 (T)
Adult Use Cannabis Processor		PC	PC		5.04 (T)
Adult Use Cannabis Testing Laboratory	PC	PC	PC		5.04 (T)

**Table 19.02-01: Non Residential Use Table**

Use	AN	AS	API	AI	DO	Additional Regulations
Adult Use Cannabis Cultivator						5.04 (T)
Adult Use Cannabis Dispensary	PC	PC		PC		5.04 (T)
Adult Use Cannabis Processor	PC			PC		5.04 (T)
Adult Use Cannabis Testing Laboratory	PC		PC	PC	PC	5.04 (T)

**5.04 Use-Specific Regulations**

*\*\*\*Add after S) Contractor or construction Sales and Rental*

**(T) Cannabis Uses**

- 1) All cannabis uses must have an Adult Use Cannabis License issued by the State of Ohio, and be in compliance with all rules and regulations, as outlined in Chapter 3780 of the Ohio Revised Code. Only those applicants in conformance with Chapter 3780 of the Ohio Revised Code, and holding a valid Adult Use Cannabis License as issued by the State of Ohio, shall have their applications for conditional use accepted.
- 2) Cannabis uses shall be restricted to the following use types, as defined in \_\_\_\_\_ of this Zoning Resolution;
  - a) Adult use cannabis dispensaries.
  - b) Adult use cannabis processors.
  - c) Adult use cannabis testing laboratories
- 3) Adult use cannabis cultivators are not a permitted use.

4) Zoning permits for cannabis uses shall be limited to the following numbers, based on cannabis use type. Conditional Use Permits for cannabis uses shall be accepted on a first-come basis. An application that is incomplete, or that is not in conformance with any part of this section, shall not be accepted.

a) Two (2) Zoning Permits for adult use cannabis dispensaries within the unincorporated areas of Pierce Township

b) Three (3) Zoning Permits for adult use cannabis processors within the unincorporated areas of Pierce Township

c) If a cannabis dispensary is located on the same or adjacent parcel or lot of record as a cannabis processor, and the license as issued by the State of Ohio is held by the same person or entity, that cannabis use shall account only towards the cannabis dispensary permit, and not the cannabis processor permit.

d) Adult use cannabis testing laboratories are not subject to a permit quota

e) In the event where an applicant for a Conditional Use Permit for a cannabis use submits a completed application, but there are no licenses available, that application shall be placed on a waiting list for a period of five (5) years, and shall be eligible for an available permit based on position on the waiting list. The Township Administrator shall be responsible for administration of the waiting list.

5) Cannabis uses shall be subject to the following regulations, in addition to those found within the Ohio Revised Code.

a) Any cannabis use shall be sited at least 500' from the nearest boundary of a property containing a school, state-licensed daycare facility, public library, or public park.

b) Any cannabis use shall be sited at least 100' from the front door of any residential use, measured from the corner of the property containing the cannabis use.

c) A parking and circulation plan shall be provided. Plan must clearly show required parking areas and account for circulation. Plan must also account for potential vehicle queueing and must address this as part of the zoning permit process.

d) All exterior lighting shall be downward facing and dark-sky compliant, and shall not encroach onto adjacent properties. The Township Board of Trustees may require a photometric plan as part of the approval of the Conditional Use.

- e) All lighting outside and inside of a dispensary location must be maintained in good working order and wattage sufficient for clear security and surveillance.
- f) All cannabis uses applying for Conditional Use Permit shall provide a \$10,000 bond, cash escrow, or irrevocable letter or credit to manage potential nuisance issues associated with the cannabis uses. If the Township intends to seize the bond due to nuisance abatement, the Board of Township Trustees shall schedule a public hearing at a regular meeting of the Township Trustees. The permit holder shall be noticed and provided an opportunity to address the nuisance at least thirty (30) days prior to the hearing.
- g) All cannabis uses shall negotiate an agreement with the Board of Township Trustees to outline community benefits of the cannabis use as described in Ohio Revised Code.

6) Cannabis uses shall remain subject to all other applicable sections of this Zoning Resolution.

7.) Conditional Use Permits for cannabis uses are non-transferrable. They shall be subject to review under the following circumstances

- a) Each January, to ensure compliance with Ohio Revised Code.
- b) Upon valid complaint of violation of conditions outlined within the Conditional Use Permit.
- c) Upon notice of violation or revocation of license from the State of Ohio.

8.) Conditional Use Permits for cannabis uses shall be forfeit and void after sixty (60) days from the date of approval if an operator agreement has not been established with the Township Trustees. Extension of the sixty (60) day period may be extended by mutual agreement of the Township Trustees and the applicant.

9.) A Conditional Use Permit for cannabis uses may be revoked under the following circumstances

- a.) Loss of Adult Use Cannabis License from the State of Ohio
- b.) A pattern of criminal activity as determined by criminal citations and/or criminal charges and convictions.
- c.) Violation of the conditions of the Conditional Use Permit.
- d.) Breach of the operator agreement as established with the Township Trustees.

e.) Voluntary cessation of the cannabis use for a period of greater than sixty (60) days.

9.) In instances where a Conditional Use Permit for cannabis uses has been forfeit or revoked, the permit holder, their assigns, or dba, shall be prohibited from making application for Conditional Use Permit for cannabis uses in the unincorporated areas of Pierce Township for no less than one (1) year from the date of loss of permit.

10.) In instances where Ohio Revised Code and this Zoning Resolution are in disagreement, the more restrictive guideline shall prevail.

