

RESOLUTION NO.: 50 -2017
INTRODUCED BY: Alexander

**A RESOLUTION CONFIRMING AND MODIFYING THE ACTION OF
THE PLANNING COMMISSION TO APPROVE CONDITIONAL USES
IN THE O-S ZONING DISTRICT AT 27227 CHARDON ROAD TO
PERMIT THE CULTIVATION, PROCESSING, AND DISPENSING OF
MEDICAL MARIJUANA.**

WHEREAS, Grataegus, LLC made application to permit the cultivation, processing, and dispensing of medical marijuana on the property at 27227 Chardon Road as a conditionally-permitted use in the O-S Office-Service Zoning District;

WHEREAS, pursuant to Section 1151.03, cultivation, processing, and dispensing of medical marijuana are conditionally-permitted uses in the O-S Office-Service Zoning District;

WHEREAS, the Planning Commission of the City of Richmond Heights, at its meeting of May 10, 2017, recommended to City Council approval of conditionally-permitted uses in the O-S Office-Service Zoning District for the cultivation, processing, testing and distribution of medical marijuana; and

WHEREAS, the Planning and Zoning Committee of this Council, at its meeting on June 13, 2017, agreed that the recommendation of the Planning Commission be approved with modifications to replace "distribution" with "dispensing" as the ordinance does not address distribution, and to remove "testing" because it is neither being requested by the applicant for the subject site nor is a site specified for testing in the application or in the applicant's presentation to the Planning Commission.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Council modifies the recommendation of the Planning Commission of the City for approval of an application by Grataegus, LLC for a conditional use permit in the O-S Office-Service Zoning District at 27227 Chardon Road, pursuant to Codified Ordinance Section 1151.03, for the cultivation, processing, and dispensing of medical marijuana.

Section 2: Council modifies the Planning Commission's recommendation to approve conditional uses for "distribution" and "testing" of medical marijuana by eliminating any approval of those uses for the subject site as explained in the recitals to this Resolution.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this 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, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 13, 2017


David H. Roche, Mayor

APPROVED: June 13, 2017

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council


Eloise Cotton-Henry
President of Council