

RECORD OF PROCEEDINGS

Minutes of Planning Commission

Held October 15, 2024

Call to Order

Planning Commission Meeting Call to Order at 6:00 PM

Dave Rodehaver	Chair	Present
Kevin Howard	Member	Present
Caleb Stapleton	Member	Present

Staff Members Present: City Planner Nick Sorice, Building & Zoning Administrator Brent Carpenter, Law Director Martina Dillon, City Manager Michael Davis, and Clerk of Council Amy Brown.

Approval of Minutes

Planning Commission Meeting Minutes - August 20, 2024

Mr. Rodehaver asked if there were any changes or corrections to the August 20, 2024 Planning Commission meeting minutes. Hearing none, the minutes were approved as submitted.

Business

TA-01-2024 Presentation

Mr. Rodehaver called Law Director Martina Dillon to the speaking stand for the presentation.

Ms. Dillon gave a presentation regarding the addition of a text amendment to the Moraine Codified Ordinances on Adult Use Recreational Marijuana. Ms. Dillon explained the definitions and Ohio Revised Code on recreational marijuana. On November 7, 2023, Issue 2 of recreational use of Marijuana was approved by the State of Ohio. The Ohio Division of Cannabis began to create regulations on the approved issue. She also stated how the City of Moraine issued a moratorium on Adult Use Recreational Marijuana. She also explained how even if a prohibition of Adult Use Recreational Marijuana were to be approved, it would not stop the Home Grow Rule of up to 6 plants per household, with no more than 12 plants per 2 or more individuals in a household. She commented how it is still banned on the Federal Level and is in line with our current Medical Marijuana Ordinance. The Current Moratorium is to stay in effect until September of 2025. Mr. Rodehaver requested clarification of the date. Ms. Dillon commented on how the Ohio Division of Cannabis was in the process of preparing regulations when the first moratorium was created in the City of Moraine. She also mentioned that Chief Richardson had emailed Mr. Sorice on information from the Police Department. She asked him to come up to present at the conclusion of her presentation.

Mr. Stapleton commented on how Marijuana is no longer classified as a Schedule 1 Substance and is now a Schedule 3 Substance. He wanted this clarification on federal regulations. Ms. Dillon indicated that it is accurate and was passed.

Mr. Rodehaver asked Ms. Dillon on the definition of usage as it relates in terms with the City of Moraine of cultivation and sales through dispensaries. Ms. Dillon explained that this is in relation to business licensing. Mr. Stapleton asked on actual use in the City. Ms. Dillon explained that this in relation to the business end of Adult Use Marijuana. Mr. Rodehaver asked if there were any questions and thanked Ms. Dillon.

Mr. Rodehaver called Mr. Sorice to the presentation stand on his Staff Report.

Mr. Sorice thanked Ms. Dillon on her presentation. Mr. Sorice reported on the Technical

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Review Committee's Staff Report and indicated that proper legal notices were presented throughout the City Facilities, Dayton Daily News, and the City Website per Moraine Charter 7.1 and Moraine Codified Ordinances 1127. The Technical Review Committee does not have any objections to Ms. Dillon's presentation and explained how it falls in line with the current Medical Marijuana Ordinance. Mr. Sorice explained how the proposed text amendment would prohibit marijuana facilities, sales, cultivation, and any sort of permitting in all Zoning Districts. Mr. Sorice explained the concerns of Moraine being a heavy Industrial City in which concerns of employees and CDL drivers may be at risk to safety. Mr. Sorice explained the ORC Home Grow Rule additionally. Mr. Sorice read an email from Chief Richardson on statistics of recreational marijuana allowance and the concerns that Public Safety may have. Chief Richardson explained in the email that it would be beneficial to pass a ban on recreational marijuana in the City of Moraine from a Police standpoint. Mr. Sorice asked the Planning Commission if there were any questions or additional comments after hearing the Staff Report.

Mr. Rodehaver commented that he would like to hear from the community. He stated he would like to see more data and feedback from the citizens of Moraine. He asked Ms. Dillon if she could bring some more statistics. Mr. Sorice and Ms. Dillon explained that proper notices were posted per the City Charter and Moraine Codified Ordinances.

Ms. Dillon gave a presentation on Moraine's vote on recreational marijuana from the November election in 2023. The vote for yes was 1,012 and the vote for no was 497. Ms. Dillon stated that a town hall can occur for this decision. Mr. Rodehaver indicated he would like to hear from the residents in a town hall. Ms. Dillon explained that tabling the meeting is an option based off the feedback from the Planning Commission for a town hall.

Mr. Davis came up to the presentation stand to state that a community meeting is a choice that we can move forward with. He said that this will help clarify some concerns of the Commission and the residents.

Mr. Sorice came up to the presentation stand to determine a decision on the meeting. Mr. Rodehaver would like for it to be posted on social media and make sure the notice is made to residents. Mr. Sorice said he can have residents reach out to him for any questions or concerns about the community meeting or to share comments. He said a post will go out immediately on Facebook to get the notice out of a town hall.

Mr. Rodehaver stated that there is not enough information present to make a decision. He called up Mr. Carpenter to the stand to make a comment. Mr. Carpenter stated that he agrees with the Planning Commission and that the residents need to be involved.

A decision to table the decision was made by all 3 members of the Moraine Planning Commission and for a town hall to occur with the residents.

Other Business

No further business was discussed.

Adjournment

Meeting adjourned at 06:31 PM.

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ATTEST: City Planner, Nick Sorice