



City of Pataskala *Legislative Report to Council*

Legislative Report

July 24, 2017 Council Meeting

Unfinished Business

A. Ordinances

➤ **ORDINANCE 2017-4288 – 3rd READING**

Due to the lack of demolition regulations, the Planning and Zoning Department staff has created regulations for demolitions that apply to residential, commercial, and institutional buildings. The current code does not specifically address regulations for demolitions and the Planning and Zoning Department has been approving demolition permits as determined by the staff. The regulations would clearly outline what structures require a demolition permit and establish regulations for what is expected during and post demolition.

The following amendment would be the addition of Section 1221.06 DEMOLITIONS to Chapter 1221 GENERAL REGULATIONS, a definition of a demolition added to Chapter 1203 DEFINITIONS, and a revision of Section 1263.03 DEMOLITIONS from Chapter 1263 OLDE TOWN PATASKALA DISTRICT which contains regulations for landscaping after a demolition in the Olde Town District.

➤ **ORDINANCE 2017-4291 – 3rd READING - An ordinance to amend Chapter 1203 and add Chapter 715 and Chapter 1299 to the Codified Ordinances of the City of Pataskala, and repeal all other ordinances and parts of the Ordinances in conflict therewith.**

Approval of this ordinance would establish the permitting and zoning regulations for medical marijuana cultivation and processing businesses in the city.

The amendment to Chapter 1203 is the addition of the definition of medical marijuana and medical marijuana entity.

Adoption of Chapter 715 would establish the process and requirements for acquiring a city issued license for a cultivation or processing business. The license process is multi-staged, and a summary is provided below.

- Provisional License

- Approved by City Council
- Requirements of application are included in the proposed CO 715
- Valid for 1-year; will expire in 1-year if application for operating license not submitted
- Non-refundable \$5,000 application fee

- Local Operating License
 - Approved by Council
 - Must have a valid Provisional License to apply
 - Valid for 1-year
 - Can be revoked or suspended by Council action
 - Non-refundable \$5,000 application fee
 - Must be renewed annually by Council action
 - Requirements of application are included in the proposed CO 715
 - Must possess valid State of Ohio License

- Local Operating License Renewal
 - Local Operating Licenses must be renewed annually
 - Renewal approved by City Council
 - Non-refundable \$5,000 application fee
 - Council may deny renewal

The proposed Chapter 1299 creates the zoning process for medical marijuana entities. This process is based on our current Planned Development District. This process would require anyone wanting to establish a medical marijuana cultivation or processing business in the City to rezone the property on which it will be located. The rezoning would follow our normal process of public hearing with the Planning Commission, public hearing with Council, and final approval by Council.

Ordinance 2017-4291 would permit cultivation and processing businesses. If Council choose to proceed with permitting these two aspects of medical marijuana, the currently tabled Ordinance 2017-4285 should be amended by motion to remove the prohibition on cultivation and processing, leaving the prohibition on dispensaries in place.

New Business

A. Ordinances

ORDINANCE 2017-4290 1st reading - An ordinance adopting the Planning and Zoning Commission's recommendation to deny the rezoning request for the property located at 7856 Hazelton-Etna Road, Pataskala, Ohio (Parcel Number 064-152988-01.000)

This ordinance would rezone the property located at 7856 Hazelton-Etna Road from the PRO – Professional Research Office district to the LB – Local Business district. The applicant is requesting to rezone the property so that it may be used as a daycare facility.

The property was rezoned from the AG – Agricultural district to the PRO district in 2007. This rezoning included a limitation text that listed nine permitted uses. While a daycare facility is a conditional use in the PRO district, it was not included as a permitted or conditionally permitted use in the limitation text; therefore, it would not be allowed. As a result, the applicant had to rezone the property. A daycare facility is a conditional use in the LB district.

The rezoning request was heard by the Planning and Zoning Commission at the June 7, 2017 hearing. The Planning and Zoning Commission recommended denial of the rezoning request by a 3 to 3 vote. A tie vote results in a recommendation of denial because a majority of those present did not vote to recommend approval.

ORDINANCE 2017-4292 1st reading - An ordinance to revise Section 505.11(C) of the Codified Ordinances of the City of Pataskala, Licking County, Ohio.

This ordinance would amend the Discharge and Non-Discharge Map to include lots in platted subdivisions in the Non-Discharge area. These lots were inadvertently omitted from previous amendment and it has been Council policy to place lots in platted subdivisions in the Non-Discharge area. At their July 10 meeting, the Agricultural Committee recommended the Planning and Zoning Department proceed with the amendment as presented for consideration by Council.

B. Resolutions

➤ **RESOLUTION 2017-052 – A resolution authorizing the City Administrator to accept the bid of, and enter into a contract with, Law General Contracting, Inc. for construction services for the OPWC funded Columbia Road Culvert Replacement Project.**

Approval of this resolution would authorize the City Administrator to enter into a contract with Law General Contracting, Inc. for the OPWC funded Columbia Road culvert replacement project. The City opened bids on July 13th and received three responses. The engineer's advertised estimate for the project was \$225,000. Law General Contracting submitted the lowest bid in the amount of \$179,031.20. Two other bids were submitted: Buds, Inc. in the amount of \$187,901.07 and Layton, Inc. in the amount of

\$219,091. The City is responsible for contributing 5% (\$8,951) as the local match for this project. I recommend approval of Resolution 2017-