

**CITY OF WEST CARROLLTON
PLANNING COMMISSION
WEST CARROLLTON, OHIO**

RESOLUTION: T-26-1, RECOMMENDING TO CITY COUNCIL THE ADOPTION OF AMENDMENTS TO VARIOUS CHAPTERS OF THE CITY OF WEST CARROLLTON CODE OF ORDINANCES TO ESTABLISH REGULATIONS FOR UP TO TWO CANNABIS DISPENSARIES IN THE CITY AT ANY ONE TIME.

WHEREAS, an application has been filed by the City of West Carrollton proposing text amendments to various chapters of the City of West Carrollton Code of Ordinances to establish regulations for up to two cannabis dispensaries in the city at any one time; and

WHEREAS, as required by Section 154.07.01(B)(6) of the Zoning Code, a Notice of Public Hearing regarding this application was published in the Miamisburg-West Carrollton News on May 28, 2026; and

WHEREAS, the application materials and meeting notice were posted on the City's website; and

WHEREAS, a public hearing was held on June 18, 2026 by the West Carrollton Planning Commission, at which time all people who wished to testify gave their comments; and

WHEREAS, Sections 154.05.04 of the West Carrollton Zoning Code specifies circumstances which justify amending the Zoning Code.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF WEST CARROLLTON, OHIO:

SECTION I. That the Planning Commission makes the following findings of fact with respect to the proposed Zoning Code text amendment pursuant to case T-26-1, said findings of fact based upon criteria found within Section 154.05.04(B)(3) of the Zoning Code:

- a) On November 7, 2023 Ohio voters approved State Issue 2 which authorized the cultivation, processing, and sale of adult use cannabis. Ohio Revised Chapter 3780 authorizes municipalities to entirely prohibit or limit the number of adult use cannabis operators.
- b) On December 12, 2023 the City enacted its first moratorium on issuing and processing permits for dispensaries, cultivators, and processors of adult use cannabis in the city. This moratorium was intended to enable City staff time to review Chapter 3780, rules and regulations from the Division of Cannabis, and amendments from the Ohio General Assembly, in order to advise City Council about the potential impact of an adult use cannabis business on the community. With the Division of Cannabis not having adopted rules per O.R.C. 3708.03 and Governor DeWine signing Senate Bill 56 on December 19,

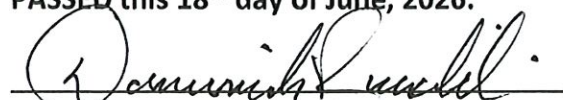
2025 which revised provisions of the liquor control, hemp, and adult use marijuana laws, on February 24, 2026 City Council approved an extension of the moratorium through September 30, 2026 to give City staff time to review the substantial changes to the state cannabis law as related to drafting code language to amend the City's Codified Ordinances.

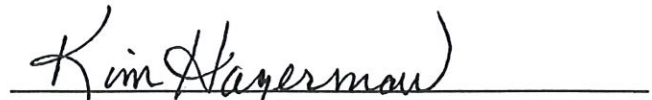
- c) The proposed regulations are based on substantial research into other communities' approaches to this issue as well as into professional literature, and a thorough review of the proposal relative to the new state law by the Law Director.
- d) This proposal would permit no more than two cannabis dispensaries at one time in the city. Businesses that cultivate and process marijuana would still be expressly prohibited.
- e) Sufficient controls are proposed in Chapter 154: Zoning Code; a new Chapter 120: Cannabis Control: Limitations on Business Operations; a new Chapter 144: Cannabis Control; Chapter 119: Cultivating, Processing or Dispensing of Medical Marijuana Prohibited; and a new Chapter 89: Marijuana Usage and Control, to address any potential negative effects of cannabis dispensaries.
- f) The proposed amendments can be justified on the grounds that the change is in conformance with the Comprehensive Plan of the city. The proposal facilitates and encourages the *Comprehensive Plan's* goals to maintain and enhance the community's economic vitality; promote available sites and buildings as a potential business location; encourage business growth; identify business opportunities that enhance and fit the local economy; promote linkages between local businesses and complementary suppliers; develop infill sites and redevelop available buildings and sites; and provide new job opportunities for residents.
- g) The proposed amendments can be justified on the grounds of substantial or significant change in area conditions. The national and state landscape regarding cannabis has radically changed in recent years. Over 70 percent of West Carrollton residents voted in favor of the state legalizing cannabis. This is a sea change in public perception which indicates strong support for some type of cannabis business activity in the city.

SECTION II. The Planning Commission recommends to City Council that amendments to various chapters of the City of West Carrollton Code of Ordinances to establish regulations for up to two cannabis dispensaries in the city at any one time, be adopted to read as indicated in Exhibit A, attached hereto.

SECTION III. That this recommendation shall be forwarded in writing immediately to City Council in accordance with Section 154.08.01 of the Zoning Code.

PASSED this 18th day of June, 2026.


Chairman


~~Secretary~~
Vice chair