

## DEVELOPMENTAL CONTROLS COMMITTEE

January 14, 2025

The Developmental Controls Committee of the Lima-Allen County Regional Planning Commission held a regular meeting on Tuesday, January 14, 2025, at 3:00 p.m. in the Conference Room of the Commission office located at 130 West North Street, Lima, Ohio 45801.

For the good of the order, attendance was called and a quorum was present, Chuck Schierloh brought the meeting to order at 3:00 pm and proceeded with the agenda.

### 1. ROLL CALL

Brad Baxter	Bath Township
Kevin Cox	Perry Township
Joe Gearing	Allen County
Jerry Gilden	Marion Township
Todd Lause	Shawnee Township
Ron Meyer	Allen County
Rob Nelson	City of Lima
Doug Post	Amanda Township
Chuck Schierloh	City of Lima
Beth Seibert	Allen County
Dave Stratton	Allen County

### STAFF

Adam Haunhorst	Lima-Allen County Regional Planning Commission
Liwen Kang	Lima-Allen County Regional Planning Commission
Rebecca Phillips	Lima-Allen County Regional Planning Commission
Tonya Dye	Lima-Allen County Regional Planning Commission

### 2. APPROVAL OF AGENDA

#### **Motion 01 (01-14-25) DCC**

Mr. Cox made the motion to approve the agenda for January 14, 2025. It was seconded by Mr. Post. The motion carried.

### 3. APPROVAL OF DCC MINUTES – December 3, 2024 (held), December 17 and December 31, 2024 (canceled)

#### **Motion 02 (01-14-25) DCC**

Mr. Baxter made the motion that the Minutes from December 3, December 17 and December 31, 2024 be approved. Seconded by Mr. Cox. The motion carried.

### 4. STAFF RECOMMENDATION: American Township Zoning Resolution (AM-01-25-R)

Mr. Haunhorst brought forth a Zoning Resolution Amendment from American Township. In response to recent ballot initiatives, the Township wants to amend Article 23, regarding Medical/Adult Use Cannabis, to address the same. The resolution only addresses commercial situations, not home cultivation. The Lima-Allen County Regional Planning Commission reviewed the proposal, it is the staff's recommendation to **Approve** the proposed zoning resolution, stating the comments they wish the Township officials to review.

Mr. Haunhorst explained some of the major comments suggested to American Township. First, the Township strongly wishes to only allow one facility to operate. This may cause traffic implications, and



parking availability and may see a significant number of customers. These issues will need to be monitored as they could create a public nuisance if not managed properly. There is also a fifteen-minute limit to being on-site before it is considered loitering. This may be hard to monitor and enforce.

Some portions of the text were highlighted for clarification, including what would constitute a legally recognized holiday and if that would include all federal holidays. There were also questions on the “for cause determination”. With the stipulation of the impact fee, it was suggested that this is a bit opaque as far as what could trigger this determination.

Section 23.8 states unannounced inspections by a variety of government agencies. LACRPC is suggesting that the Township review this with their legal counsel to ensure that there are no 4<sup>th</sup> Amendment issues. There is also a section that relates to investigating vendors. The Township may want to limit the third-party vendor section to cannabis or cannabis-related third-party vendors.

The Chair asked for a discussion on the proposal, to which many committee members participated. It was asked if some of these issues are for their legal counsel to question, rather than this committee. Mr. Haunhorst stated that they are asking for recommendations, so we are just asking for clarification. It was then asked if this was the first township to tackle this topic as a zoning resolution. As far as this office has been involved, it is. It was unknown if American Township went through a township association organization to help draft this amendment. There are however, cannabis retailers in other areas in the county and nearby geographical region.

It was addressed that the state legislation is still new and therefore there are a lot of areas where we are dealing in uncharted territory. The agency looked at the proposal as any other retail establishment that was selling a product. It recognized the cultural limitations involved with the use and sale of cannabis, but also recognized the restrictions regarding the use of the product that has been enacted in state legislation.

The issues regarding access and parking was also questioned. Mr. Haunhorst stated that any business has to deal with various parking regulations, and depending upon siting, a traffic impact study could be recommended.

The Chair asked for any more questions or comments and then asked for a motion.

**Motion 03 (01-14-25) DCC**

Mr. Nelson made the motion to accept the Staff Recommendation and to Approve the American Township Zoning Amendment (AM-01-25-R). Seconded by Mr. Baxter. The motion carried.

**5. OTHER**

Mr. Haunhorst stated that there will be business for the committee in two weeks. There will be presented information on the Hickory Creek Subdivision in Shawnee Township. Hickory Creek is a PUD, so it is not a true subdivision. They are asking for comment.

7. ADJOURNMENT

**Motion 04 (01-14-2025) DCC**

Mr. Post made the motion to adjourn. Seconded by Mr. Cox; the motion carried.

The meeting adjourned at 3:38 p.m.

The next meeting is scheduled for January 28, 2025 at 3:00 p.m.

Minutes approved on January 28, 2025.

  
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Chuck Schierloh, Chair