



City of Kent
Wednesday, June 5, 2024
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

AGENDA

7:00 P.M. Public Hearing- Zoning Code Text Amendments

1. In accordance with Chapter 1111.01(b)(2) of the Kent Codified Ordinances, notice was given on May 22, 2024 that the Kent City Council will conduct a Public Hearing to allow for public comment on proposed text amendments to the City of Kent Zoning Code:
 - CHAPTER 1102: Definitions
 - CHAPTER 1103: Zoning Districts, Land Use, and Zoning Map
 - CHAPTER 1105: Conditions Applicable to Specific Land Uses
 - CHAPTER 1107: Parking, Loading, and Access Management

Board of Control & Council Committee Meetings Immediately Following Public Hearing

1. **Committee of the Whole** Chair Fiala/ Vice-Chair Amrhein
 - 1.1. Boards and Commission Interviews
 - 1.2. Update on the New City Administration Building
Melanie Baker, Service Director
2. **Community Development Committee** Chair Rosenberg/Vice-Chair Clapper
 - 2.1. Event Permits
Bridget Susel, Community Development Director
3. **Finance Committee** Chair DeLeone/Vice-Chair Celko
 - 3.1. Operating Levy Resolution to Proceed
Rhonda Hall, Budget and Finance Director
 - 3.2. Health Department Grant Opportunities
Joan Seidel, City Health Commissioner
 - 3.3. Bond Refunding
Rhonda Hall, Budget and Finance Director
 - 3.4. FY2024 Appropriation Amendment #3
Rhonda Hall, Director of Budget and Finance

4. **Health and Public Safety Committee** Chair Amrhein/ Vice-Chair Sidoti

4.1. Police Ohio Collaborative Certification
Chief Nick Shearer, Police

4.2. Produce Prescription Program
Joan Seidel, City Health Commissioner

5. **Land Use Committee** Chair Shaffer Bish /Vice- Chair Hook

5.1. Zoning Code Text Amendments- Adult Use Cannabis
Bridget Susel, Community Development Director

6. **Streets, Sidewalks & Utilities Committee** Chair Sidoti/ Vice-Chair Clapper

6.1. Haymaker Farmers Market - License Agreement Revision
Jim Bowling, City Engineer

7. **Executive Session** to discuss:

7.1. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

7.2. Boards and Commission Appointments

Adjourn

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-676-7555 or councilclerk@kentohio.gov Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.

TENTATIVE June 2024 CALENDAR

Visit and subscribe to the online calendar at www.kentohio.org/calendar.aspx

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 5:00 pm Shade Tree Comm. 5:30 pm Sustainability Comm.	4 7:00 pm Planning Commission	5 7:00 p.m. Council Committee Mtgs	6	7	8
9	10	11 5:30 pm Health Board Mtg	12	13 4:00 pm Standing Rock Cemetery	14	15
16	17 5 pm Civil Service Commission Mtg. 7 pm Board of Zoning Appeals	18 7:00 pm Planning Commission	19 7:00 pm Reg. Council Mtg	20 Parks & Rec Mtg. Board 5:30 pm	21	22
23	24	25	26	27	28	29
30						

KENT CITY COUNCIL'S PENDING LIST

Administration	Date of Motion	Motion Made by
Senior Advisory Committee	10/18/2017	Ferrara; Sidoti
Discussion with Franklin Twp. /sidewalk snow upkeep	01/19/2022	Shaffer Bish
Review of Roadwork Needed on Portage St.	05/17/2023	Wallach
Review Language of KRC 339.02 Regarding Semi Parking	03/20/2024	Amrhein
Review of Lifting of Adult Use Marijuana Moratorium	04/17/2024	Hook
Explore Use of Consent Agenda	04/17/2024	Hook

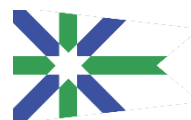
Council Committees	Month/Yr.	Motion Made by
Land O' Lakes Noise Issue- Comm/Whole	08/16/2023	Turner
Noise Ordinance Review – Health & Public Safety	11/15/2023	Amrhein
Fur Regulations and Sales in Kent- Community Dev.	12/20/2023	Wallach
Downtown Street Closure Procedures- Community Dev.	01/17/2024	Rosenberg
Downtown Historic District- Community Dev.	02/24/2024	Shaffer Bish
Role of Architecture Review Board- Community Dev.	02/24/2024	Celko
Parks and Rec Survey and Master Plan- Comm/Whole	02/24/2024	Sidoti
Requirement for In Person Board Interviews- Comm/Whole	03/20/2024	Rosenberg

Posted June 3, 2024 Amy Wilkens | Clerk of Council | Kent City Council

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Boards and Commissions June 2024 Candidates



For Your Consideration:

Karen Beck (Reapplication)

- ❖ PARTA Board

Alyssa Fleming (New)

- ❖ Community Reinvestment Area Housing Board
- ❖ Fair Housing Board
- ❖ Income Tax Board

Crystal Foster (interviewed in April for Parks & Rec)

- ❖ Fair Housing Board

Chelsea Treveline (interviewed in April for Parks & Rec)

- ❖ Health Board



CITY OF KENT, OHIO

CITY COUNCIL

We rely heavily upon citizen participation through Boards, Commissions and Committees to effectively assist City Council and the Administration staff in planning a better community.

Below is an application form that would give us a little background information. Please fill this out if you think you could devote sufficient time to serve on one of our Boards. You may use additional pages, if necessary. If you have a resume, you may attach it to the application. Please return to: Clerk of Council at councilclerk@kentohio.gov or mail to the address at the bottom of this application. Except as otherwise provided by law, all appointments to City Boards and Commissions shall be electors of the City. This section does not apply to the Board of Building Appeals.

NAME: _____ PHONE: _____ (HOME)

ADDRESS: _____ (CELL)

EMAIL: _____

EDUCATION: _____

OCCUPATION: _____

PLACE OF EMPLOYMENT: _____

POLITICAL PARTY: _____

(OPTIONAL EXCEPT WHEN APPLYING FOR CIVIL SERVICE COMMISSION AND INCOME TAX BOARD OF REVIEW WHERE INFORMATION IS REQUIRED BY LAW)

EXPERIENCE RELATED TO THIS APPOINTMENT: _____

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? _____

ANYTHING YOU CARE TO ADD, SUCH AS EXPERIENCE ASSOCIATED WITH THE CITY:

I WOULD LIKE TO BE CONSIDERED FOR:

1st CHOICE: _____ 2nd CHOICE: _____

SIGNATURE: _____ DATE: _____

*** The City of Kent reserves the right to perform background checks.

From: noreply@civicplus.com
To: [Council Clerk](#)
Subject: Online Form Submittal: Online Boards & Commissions Application
Date: Wednesday, May 8, 2024 10:43:47 PM

Online Boards & Commissions Application

Note

Except as otherwise provided by law, all appointments to City Boards and Commissions shall be electors of the City, residing within Kent city limits. This section does not apply to the Board of Building Appeals.

First Name	Alyssa
Last Name	Fleming
Address	1060 Kevin Drive
City	Kent
State	Ohio
Zip Code	44240
Home Phone Number	330-281-8223
Cell Phone Number	<i>Field not completed.</i>
Email Address	asmit106@gmail.com
# of years you have lived in Kent	12
Education	Bachelor of Science, Public Health - Kent State University (Kent, Ohio) - 2013 Master of Business Administration - Eastern University (Philadelphia, Pennsylvania) - in progress
Place of Employment	Cuyahoga County Board of Developmental Disabilities
Political Party	Democratic
Are you a registered voter?	Yes
Which boards, commissions and committees are you	Community Reinvestment Area Housing, Fair Housing Board, Income Tax Board of Review

applying for:

Please provide educational and professional background to assist Council in review of your application.

Medicaid and Data Analytics, Manager - Cuyahoga County Board of Developmental Disabilities; current
Bachelor of Science, Public Health - Kent State University (Kent, Ohio); 2013
Master of Business Administration – Eastern University (Philadelphia, Pennsylvania); in- progress

Why are you interested in this appointment?

I'm interested in serving on a board for my treasured city of Kent, Ohio because it would give me the opportunity to contribute to my community in a tangible way. Serving on a board allows individuals to actively engage with their community, assess its needs, and collaboratively address them. It's an opportunity to deeply scrutinize the challenges and opportunities facing the community and strategically plan for its betterment. I aspire to actively participate in improving and shaping the future of my community, with the intention of enhancing the quality of life for present-day residents and ensuring a prosperous future for generations to come. I truly believe in the idea of leaving our world better than we left it and I believe an opportunity such as this would allow me to leave a positive mark on a city I love dearly.

Resume or other qualifications

[Resume 2024 Kent Boards and Commissions .docx](#)

Email not displaying correctly? [View it in your browser.](#)

Alyssa Fleming

(330) 281-8223

asmit106@gmail.com

Objective:

As a results-driven public servant with a demonstrated expertise in data analytics and a passion to serve, I wish to apply my leadership and analytical abilities to effectively serve the city of Kent, Ohio. I am dedicated to supporting the growth of my community while ensuring Kent continues to meet the needs and standards of its citizens.

Professional Summary:

- Seasoned leader with expertise in Medicaid, data analytics, and business management.
- Strong background in financial operations, Medicaid waiver budget management, and process enhancement.
- Skilled in coordinating with cross-functional teams to achieve strategic goals.
- Excellent communicator with a focus on data-driven decision-making.
- Proficiency in the preparation, analysis, and dissemination of reports to fulfill agency requirements and initiatives.
- Expertise in managing accurate Medicaid service authorizations, ensuring compliance with Ohio Revised Code (ORC) rules.

Experience:

Cuyahoga County Board of Developmental Disabilities, Cleveland, Ohio

Manager - Medicaid and Data Analytics, 2024

- Identified areas for improvement and proposed strategic goals and new initiatives aligned with the agency's strategic plan.
- Managed and supervised all processes and procedures related to financial and business activities for division, including authorization of waiver and locally funded services, supports, and miscellaneous items.
- - Oversaw activities pertaining to HCBS Medicaid waiver allocations, eligibility, and enrollment processes.
- - Coordinated with division leaders to develop and review annual budgets for the Medicaid and Data Analytics division and related divisions, ensuring adherence to budgetary constraints.
- - Managed payment of shared-funding arrangements with other entities.
- - Conducted analysis of agency data to identify trends and patterns, generating routine and special reports for board presentations and program planning purposes.
- - Collaborated with the executive team to ensure data integrity and optimize analytics processes.
- - Prepared and monitored reports for department management, providing insights into current financial conditions and operational performance.
- - Directed the hiring, training, and professional development of staff members.

Fiscal Administrator, 2020-2023

- Supervised and supported a team of Waiver Coordinators/Specialists, ensuring efficient operations and compliance with HCBS waivers.
- Played a key role in enrollment management, compliance adherence, and the dissemination of service utilization reports, enhancing person-centered planning.
- Acted as a point of contact for billing, authorizations, and enrollment processes, while also contributing to budget projection, data collection, and leadership in process development initiatives.

Waiver Coordinator, 2018 – 2020

- Manage accurate enrollment of waiver and local authorizations as submitted by Support Administrators (SAs).
- Deliver prompt support and training to Support Administrators (SA) and SA Supervisors across all aspects of the DoDD reimbursement system and application portals, guaranteeing the correct authorization of HCBS services.
- Collaborated with SAs/SA Supervisors to troubleshoot high-cost plan authorizations, address provider billing issues, resolve service utilization concerns, and manage complex service authorizations.

Support Administrator, 2016 – 2018

- Acted as the primary point of coordination for congregate settings, ensuring strict compliance with ORC regulations.
- Provided support to enrollees requiring multi-system assistance and fostered collaboration with various support departments.
- Participated in the eISP Pilot Committee and the Waitlist Committee.

Wayne County Board of Developmental Disabilities, Wooster, Ohio**Service Coordinator, 2015 – 2016**

- Served as the primary point of coordination for the pursuant of services in compliance with ORC
- Successfully conducted C/OEDI assessments and local PASRR reviews.
- Diligently fulfilled SSA-On-Call responsibilities for all MUI reporting across the entire county.

Evant Inc., Stow, Ohio**Qualified Intellectual Disability Professional, 2014 – 2015**

- Successfully developed Individualized Service Plans (ISPs) for individuals, while also ensuring rigorous compliance with Medicaid and Life Safety regulations for ICF/MR homes.
- Supervised, trained, and supported house managers and direct care staff

Residential Manager, 2013-2014

- Efficiently scheduled all medical appointments, meticulously completed medical documentation, and ensured thorough follow-up for all individuals.
- Supervised, trained, and supported direct care staff while managing day-to-day functions of homes.

Education:

- Bachelor of Science, Public Health - Kent State University (Kent, Ohio); 2013
- Master of Business Administration – Eastern University (Philadelphia, Pennsylvania); in- progress

Certifications:

- Service and Support Administrator Certification
- Business Manager Certification
- Six Sigma White Belt Certification

From: noreply@civicplus.com
To: [Council Clerk](#)
Subject: Online Form Submittal: Online Boards & Commissions Application
Date: Friday, March 15, 2024 3:12:24 PM

Online Boards & Commissions Application

Note

Except as otherwise provided by law, all appointments to City Boards and Commissions shall be electors of the City, residing within Kent city limits. This section does not apply to the Board of Building Appeals.

First Name	Crystal
Last Name	Foster
Address	450 Silver Meadows Blvd
City	Kent
State	Oh
Zip Code	44240
Home Phone Number	3305543512
Cell Phone Number	3305543512
Email Address	cyonker1@gmail.com
# of years you have lived in Kent	40
Education	Bachelors - Computer Information Systems. Kent State University
Place of Employment	FirstEnergy
Political Party	Democrat
Are you a registered voter?	Yes
Which boards, commissions and committees are you applying for:	Park & Recreation Board

My current role at FirstEnergy is in Critical Infrastructure

Please provide educational and professional background to assist Council in review of your application.

Protection Compliance. I maintain a change control process and documentation that is submitted to the government for audit purposes. I also have experience in new software implementation and configuration, new user testing and training and IT project management.

Why are you interested in this appointment?

I would like to have insight into the governmental processes. I have been a long time resident and would like to help where I can.

Resume or other qualifications

[CF_Resume1 \(3\).docx](#)

Email not displaying correctly? [View it in your browser.](#)

Crystal Foster

Cyonker1@gmail.com • 330.554.3512 • [linkedin.com/in/crystal-foster/](https://www.linkedin.com/in/crystal-foster/) • Kent, OH 44240

Business Analyst

Business Analyst with experience supporting business software/infrastructure analysing business processes. Looking to utilize my skills to be an agent of change.

- Enterprise Implementations
- Process Mapping
- Requirements Gathering and Analysis
- Salesforce CRM
- User Acceptance Testing
- Crosswalk documents for new software Implementation
- User Training
- Security User Group Assignments/Permission sets
- Inventory Management
- MOS Excel Certified | MS Office | Google
- Requirements Documentation
- Report Generation

Relevant Experience

FirstEnergy • Akron, OH (May 2019 to Current)

Compliance Analyst

- Facilitate CIP Medium Change Control meeting
- Maintain documentation for Audit purposes/Evidence Request Tool
- Facilitate weekly meetings with regional supervisors/managers for change management
- Maintain updates to PowerBase for any changes to Medium impact devices/locations
- CIP-13 Purchase order verification

Cleveland Clinic • Independence, OH (January 2019 to May 2019)

Systems Analyst I

- Current/future state process flows
- Identify gaps/issues in business processes
- Facilitate follow ups to resolve issues

Universal Windows Direct • Oakwood Village, OH (April 2018 - December 2018)

IT Business Analyst

- Configure CRM (Leap Perfection/Leap to Digital) for Sales use
- Document business processes/Improvements
- Train new users/Document all processes
- Office 365 Administration/Help Desk for software issues
- SharePoint Administration

FirstEnergy Corp • Akron, OH (Nov 2017 – April 2018)

Corporate Business Analyst

- Vendor management - maintain documentation to keep vendors active in network
- Process improvement
- Document business processes

Kent State University • Kent, OH (May 2017 – August 2017)

IT Business Analyst Intern:

- Assist BSA in new CRM (Salesforce) implementation for Admissions, created user documentation for training, worked on user roles and security profiles/permission sets
- Assist BSA in Marketing Cloud implementation including user support after go live for WKSU

- Participate in Business Process Analysis and Mapping to identify non value added activities, reduce process cycle times and implement process improvement

Allstate Insurance Company • Hudson, OH (Sept 2012 – Dec 2016)

Process Analyst:

- Assisted in Infrastructure servicing projects of various sizes by following technology operation group project methodology, using SharePoint for project tracking and documentation
- Utilize daily reports to oversee and track Infrastructure projects to ensure timely delivery
- Run daily Scrum for all project updates

Education

Kent State University • Kent, OH (August 2017)

Bachelor of Business Administration (BBA) in Computer Information Systems

From: noreply@civicplus.com
To: [Council Clerk](#)
Subject: Online Form Submittal: Online Boards & Commissions Application
Date: Sunday, March 17, 2024 1:07:42 PM

Online Boards & Commissions Application

Note

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First Name	Chelsea
Last Name	Trevelline
Address	953 Meloy Road
City	Kent
State	Ohio
Zip Code	44240
Home Phone Number	412-601-2600
Cell Phone Number	412-601-2600
Email Address	chelsea.pallatino@gmail.com
# of years you have lived in Kent	~6 months
Education	PhD, Behavioral and Community Health Sciences, Graduate School of Public Health, University of Pittsburgh (2017) MPH, Behavioral and Community Health Sciences, Graduate School of Public Health, University of Pittsburgh (2017) MPH, Behavioral and Community Health Sciences, Graduate School of Public Health, University of Pittsburgh (2013) B.S., BPhil, Psychology and Anthropology, School of Arts and Sciences, University of Pittsburgh (2011)
Place of Employment	Making Cents International (https://makingcents.com/). Please note my employer is located in Washington, D.C., but I work remotely from Kent.
Political Party	Democratic Party
Are you a registered	Yes

voter?

Which boards, commissions and committees are you applying for:

Board of Health, Park & Recreation Board, Sustainability Commission

Please provide educational and professional background to assist Council in review of your application.

Please listed below my educational background:
PhD, Behavioral and Community Health Sciences, Graduate School of Public Health, University of Pittsburgh (2017)
MPH, Behavioral and Community Health Sciences, Graduate School of Public Health, University of Pittsburgh (2017)
MPH, Behavioral and Community Health Sciences, Graduate School of Public Health, University of Pittsburgh (2013)
B.S., BPhil, Psychology and Anthropology, School of Arts and Sciences, University of Pittsburgh (2011)

Professional Background:

I'm a public health researcher by training, but currently work as a social science researcher in International Development. I support globally-focused projects in low and middle income countries that focus on positive youth development and gender-based violence prevention and that use locally-led, sustainable, and do-no-harm approaches. I have 15 years of research and project management experience in the U.S. and abroad related to gender and development. My primary areas of expertise include gender equity, women's empowerment, reproductive health, and gender-based violence. Prior to joining my current organization, I worked with the United Nations Development Programme on their Gender Equality in Public Administration (GEPA) initiative and served as a Commissioner on the City of Pittsburgh's Gender Equity Commission under the Office of the Mayor. In terms of my specific job duties, I am responsible for guiding qualitative and quantitative research activities and program design, implementation, analysis, evaluation, and dissemination that integrates strengths-based approaches.

Why are you interested in this appointment?

I just moved to Kent in late September and my husband is a tenure track faculty member at Kent State and we are planning to make Kent our forever home. I am personally and professionally invested in and passionate about improving my community for my fellow community members and my family. I would like to offer my skillsets to contribute to meaningful change in my community by helping to bring my innovative ideas from my professional appointments and experiences. In particular, I want to help support strategic thinking and action to support protection of our natural environment, creation of programs for the betterment of Kent residents, and apply my experience of addressing global problems on a local level.

Resume or other

[RESUME_CPTREVELLINE_2024_full.pdf](#)

CHELSEA PALLATINO TREVELLINE, PhD, MPH

Phone: 412-601-2600 | Email: Chelsea.pallatino@gmail.com

EDUCATION

PhD Behavioral and Community Health Sciences (2017)

Certificate in Global Studies

University of Pittsburgh Graduate School of Public Health, Pittsburgh, PA

Advisor: Martha A. Terry, PhD

Doctoral Dissertation: *Hindu Asian Indian Immigrant Women and Domestic Violence: A Mixed Methods Study*

MPH Behavioral and Community Health Sciences (2013)

Certificate in Global Health

University of Pittsburgh Graduate School of Public Health, Pittsburgh, PA

Advisor: Jessica G. Burke, PhD

Master's Thesis: *Women's Perception of Health Promotion Behaviors in Rural Andhra Pradesh India*

BPhil Anthropology (2011)

Minor in Italian Language and Literature

University of Pittsburgh, Pittsburgh, PA

Advisor: Robert M. Hayden, PhD

Honors Thesis: *The Evolution of La Donna: Marriage, Motherhood, and the Modern Italian Woman*

BS Psychology (2011)

University of Pittsburgh, Pittsburgh, PA

PROFESSIONAL APPOINTMENTS

Senior Specialist, Research, Evaluation, and Learning, Making Cents International **2019-Present**

- I am the Research, Evaluation, and Learning Specialist and support project management tasks including drafting, updating, and managing project scope of work, budget and timeline monitoring, consultant contracting, and holding key milestones activities with USAID staff and implementing partners for youth development-focused projects. I support various quantitative and qualitative



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: May 28, 2024

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BS*

RE: Event Permit Process Discussion

Earlier this year, Council requested the administration complete a review of the City's current event permit process, specifically with regards to events that are held downtown and that include road closure(s). Staff took a multi-faceted approach to gathering information, including:

- Sent out a brief online survey to 110 downtown businesses. 31 responses were received;
- Collected information on the permitting process from five other communities;
- Held discussions with various downtown business owners after a recent event to gather qualitative information on how the event affected customer traffic (positive, negative, neutral).

A review of the initial data gathered, to date, does indicate that changes to the current event permit process need to be considered in order to better distribute and locate events throughout the greater downtown area and to encourage events that promote increased customer traffic for existing businesses. Some preliminary topics for consideration:

- Event road closures should only be utilized when the number of expected attendees is of a large enough number to warrant the closure;
- Events requiring a road closure can be located in other areas of the downtown (i.e. not always on North Water Street or East Main Street);
- The South Water Street municipal lot (behind Davey and Ametek buildings) can be utilized on weekends for certain events, which will minimize the need for road closure(s);
- Closing a portion of both North Water Street and East Main Street for a single event should be strictly limited (i.e. allowed for Heritage Fest only);
- Potentially prohibit events involving road closures on commencement days (RHS and KSU).
- Reconsider fee structure to allow for flat fee rate(s) for certain aspects of City staff's involvement.

I am respectfully requesting time at the June 5, 2024 Council Committee meeting to discuss the information collected on the event permit process and to gather input from Council and the

public on aspects of the City's current event permit process that should be considered for revision. Staff will then use this input, along with the information already collected, to identify proposed changes to the event permit process and bring the proposed changes back to Council for further consideration and authorization. No legislative action is required at this time.

If you need any additional information to add this item to the agenda, please let me know.

Thank you.

Attachments

Cc: Amy Wilkens, Clerk of Council
Hope Jones, Law Director
Patti Long, Assistant to the City Manager
Eric Helmstedter, Economic Development Director

City	Permit Fee	Police Requirements	Police Fee	Fire Requirements	Fire Fee	Health Requirements	Health Fee	Additional Fees
Kent	Varies. Average \$\$1,500. Range \$1,000-\$10,000	3 Hour minimum	\$50.72-\$88.73/hr - 3 hour min. \$10/hr - police cruiser	1Hour/2 Hour min. depending upon shift and event	\$69.645/hr	Event Dependent	Event Dependent	
Akron	No	Event Dependent/Always if alcohol is involved	\$40/hr - 3 hour min	Inspects food vendors and any tent over 120 SF	\$25 for tent inspection	Certificate from County Health Dept	Summit County Health Department issues 3 types of food vendor permits; Mobile, Temporary Commercial and Temporary Non-Commercial. The 2024 cost for a Mobile permit is \$344 ¹ , and the permit is good for one year (March-February). The 2024 cost for a Temporary Commercial permit is \$150 ¹ , a Temporary Non-Commercial permit is \$75 ¹ , and both permits are good for a one time event not to exceed 5 consecutive days. Temporary Non-Commercial permits are only issued to non-profits.	Site fee for events held on City property - \$150 Road closure with barricades - \$40
Cuyahoga Falls	Varies*	Event Dependent/Always if alcohol is involved	\$41/hr - 3 hour min \$45/hr for any event requiring 4 or more officers				Summit County Health Department issues 3 types of food vendor permits; Mobile, Temporary Commercial and Temporary Non-Commercial. The 2024 cost for a Mobile permit is \$344 ¹ , and the permit is good for one year (March-February). The 2024 cost for a Temporary Commercial permit is \$150 ¹ , a Temporary Non-Commercial permit is \$75 ¹ , and both permits are good for a one time event not to exceed 5 consecutive days. Temporary Non-Commercial permits are only issued to non-profits.	*Site fee for large event (front street/stage) - \$3,000 Cleanup fee - \$1,600 (3 day min) *Site fee City- Sponsored Event - \$1,500 (Fri/Sat - front street/stage), \$75/hr (Sun - front street/stage) *Vendor fee -\$75 (Falls Downtown Friday)
Fairlawn	\$100	Event Dependent/Always if alcohol is involved	\$42/hr - 3 hour min	Inspects food vendors and anything structural	Covered by permit fee	Certificate from County Health Dept	Summit County Health Department issues 3 types of food vendor permits; Mobile, Temporary Commercial and Temporary Non-Commercial. The 2024 cost for a Mobile permit is \$344 ¹ , and the permit is good for one year (March-February). The 2024 cost for a Temporary Commercial permit is \$150 ¹ , a Temporary Non-Commercial permit is \$75 ¹ , and both permits are good for a one time event not to exceed 5 consecutive days. Temporary Non-Commercial permits are only issued to non-profits.	
Stow	\$250*		\$45-82.50/hr - 4 hour min	Inspects food vendors and anything structural	No	Certificate from County Health Dept	Summit County Health Department issues 3 types of food vendor permits; Mobile, Temporary Commercial and Temporary Non-Commercial. The 2024 cost for a Mobile permit is \$344 ¹ , and the permit is good for one year (March-February). The 2024 cost for a Temporary Commercial permit is \$150 ¹ , a Temporary Non-Commercial permit is \$75 ¹ , and both permits are good for a one time event not to exceed 5 consecutive days. Temporary Non-Commercial permits are only issued to non-profits.	No
Streetsboro	\$25-100	Event Dependent/Always if alcohol is involved	\$50-65/hr - 4 hour min		No	Permit from County Health Dept. 2 Permit types, Mobile \$161/good for one yer, Temporary \$93/good for one event(5 consecutive days)	Portage County Health Department issues 2 types of food vendor permits; Mobile and Temporary. The 2024 cost for a Mobile permit is \$161 ¹ , and the permit is good for one year (March-February). The 2024 cost for a Temporary permit is \$93 ¹ , and the permit is good for a one time event not to exceed 5 consecutive days	No

¹ Rule 3701-36-14 of the Ohio Administrative Code requires city or general health districts to use cost methodology to calculate costs for providing specific services, including inspection of mobile of temporary food service operations. This results in the permit fees for mobile and temporary food service operations to fluctuate on an annual basis.



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

TO: Dave Ruller, City Manager

FROM: Rhonda C. Hall, CPA, Director of Budget and Finance

DATE: 5/24/2024

SUBJECT: General Fund Renewal Tax Levy

I am respectfully requesting City Council Committee agenda time at the June 5, 2024, meeting for the purpose of requesting approval to renew the City's current 1.16 mil General Fund Operating Expense Tax Levy – the resolution to proceed. The requested action from Council is to authorize placing a 1.16 mil Renewal Tax Levy for General Fund Operating Expenses on the upcoming November 5, 2024 general election ballot.

The Portage County Auditor has certified on May 17, 2024, that the City of Kent will receive \$340,000 in estimated property tax revenue for the life of the levy as long as tax valuations stay constant.

If Council passes the resolution to proceed, a certified copy of the resolution/ordinance will be delivered to the Portage County Board of Elections, along with other materials, before the close of business on August 7th.

Should you desire any additional detail concerning this proposed policy, please do not hesitate to let me know and I will be happy to provide whatever I can.

Thank you in advance for your time and assistance in this matter.

930 OVERHOLT RD., KENT, OH 44240
(330) 678-8102 – Director and General Accounting
(330) 678-8103 Income Tax (330) 678-8104 Utility Billing FAX (330) 676-7584



KENT CITY HEALTH DEPARTMENT

414 E. MAIN ST., P.O. BOX 5192, KENT, OHIO 44240 (330) 678-8109 FAX (330) 678-2082

HEALTH DEPARTMENT GRANT OPPORTUNITIES

The Health Department continues to seek and use grant funding to enhance services and defer operating costs. I respectfully ask Council to approve the application for and if awarded the appropriations of money for use in the 2024 calendar year:

Grant Name	Grant Amount	Appropriate funds
Creating Healthy Communities (CHC)	\$100,000.00	For 2024: \$20,000.00 to 001.02.520.207.7340 for intern salary \$80,000.00 to 001.02.520.207.7420 for specified grant deliverables
Emergency Operations (EO23)	\$74,237.00	For 2024 \$1,800.00 to 001.02.520.207.7340 for intern salary \$2,500.00 to 001.02.520.207.7310 travel & training \$58,537.00 to 001.02.520.207.7340 professional services \$11,400.00 to 001.02.520.207.7330 rent
Environmental Protection Agency (EPA)	\$25,000.00	For 2024 \$10,000.00 to 001.02.520.207.7340 for intern salary \$15,000.00 to 001.02.520.207.7420 supplies
	Total=\$ 199,237.00	

Thank you for your consideration,

Joan Seidel MA, BSN, RN, FAPIC, CIC
Health Commissioner
May 16, 2024



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

TO: Dave Ruller, City Manager

FROM: Rhonda C. Hall, CPA, Director of Budget and Finance

DATE: May 21, 2024

SUBJECT: Providing for the Issuance of Bonds and Refinancing of Existing Debt

Background

In 2013 and 2014, the City issued bonds for the purposes of refinancing short-term notes and constructing a safety center. The 2013 and 2014 bonds have interest rates ranging from 3.00% to 5.00% and can be refinanced to reduce annual principal and interest payments, resulting in savings for the City. I am asking that Council authorize the issuance of bonds totaling \$7,150,000 for the purpose of refinancing existing debt as detailed above.

The estimated net present value savings of refunding the 2013 and 2014 bonds is approximately \$469,400 through 2043. This value represents a potential present value savings of 6.365% and generates gross savings of about \$30,000 per year. The savings reflected in these results are net of all estimated costs to issue refunding bonds.

PV Analysis Summary (Gross to Gross)

Gross PV Debt Service Savings	\$463,488.01
Contingency or Rounding Amount	\$5,914.23
Net Present Value Benefit	\$469,402.24
Net PV Benefit / \$7,375,000 Refunded Principal	6.37%
Net PV Benefit / \$7,215,000 Refunding Principal	6.51%
DV01	\$5,581.65

Refunding Bond Information

Refunding Dated Date	9/4/2024
Refunding Delivery Date	9/4/2024

Rationale

The City has historically issued bonds with the option to call all or a portion of the debt eight- to ten-years after the initial issuance. The 2013 bonds were able to be refinanced using tax-exempt interest rates as early as December of 2023. The 2014 bonds will be able to be refinanced as of December of 2024. The City is able to refinance both series of bonds together at the same time by issuing a single series of bonds at a lower interest rate than the existing bonds.

930 OVERHOLT RD., KENT, OH 44240
(330) 678-8102 – Director and General Accounting
(330) 678-8103 Income Tax (330) 678-8104 Utility Billing FAX (330) 676-7584

By refinancing the 2013 and 2014 bonds together, the City is able to achieve additional cost savings by avoiding the duplication of professional fees, such as bond counsel, rating agencies, and the municipal advisor, which are paid per transaction.

Tax-exempt interest rates change daily. Presently, interest rates provide for favorable refinancing results as summarized in the table above. No guarantee can be made that current market conditions will persist, and that savings will be achieved. If future market conditions do eliminate savings, the City will not proceed with issuing the bonds. The financing team will monitor savings throughout the refinancing process and will provide routine updates to the City's finance staff.

Recommendation

I recommend approval of this bond issue for the purpose of refinancing our existing debt.



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
 Rhonda C. Hall, CPA, Director

To: Dave Ruller, City Manager
From: Rhonda C. Hall, CPA, Director of Budget and Finance
Date: May 29, 2024
Re: FY2024 Appropriation Amendment #3

The following appropriation amendments for the July Council Committee Agenda are hereby requested:

Fund 126 – CDBG Grant

Increase \$ 288,354 CDBG/ Capital – Approp add'l funds for the Walnut St Phase 2 Project, per J. Bowling 5/29/24 memo.

Fund 201 – Water

Increase \$ 10,000 Water / Transfers-Out - Appropriate add'l funds to cover transfers to the Utility Billing Fund for increase in softward costs, per B. Huff 4/17/24 memo.

Fund 202 – Sewer

Increase \$ 10,000 Sewer / Transfers-Out - Appropriate add'l funds to cover transfers to the Utility Billing Fund for increase in softward costs, per B. Huff 4/17/24 memo.

Fund 204 – Utility Billing

Increase \$ 14,000 Utility Billing / Other (O&M) - Appropriate add'l funds to cover increase in softward costs, per B. Huff 4/17/24 memo.

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Rhonda Hall
Dave Ruller

FROM: Jim Bowling
Bridget Susel



DATE: May 29, 2024

RE: Walnut Street Reconstruction Phase II - Appropriation Request

The Service and Community Development Departments are requesting to appropriate \$288,354 from Fund 126 for the Walnut Street Reconstruction Project – Phase II (2019CIP009 & NW 2021CIP009). The project has entered the construction phase and the previous years' CDBG allocations need appropriated to start construction.

Please let us know if there are any questions.

c: Melanie Baker
Brian Huff
Jon Giaquinto
Cathy Wilson



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE

To: Rhonda Hall, CPA, Director of Budget and Finance

From: Brian Huff, CPA, Controller

Date: April 17, 2024

Re: Appropriation Amendments Needed

An amendment to appropriations in fund 204 is being requested for the need to upgrade the Neptune software for meter reading due to the obsolescence of the old software. I am asking for an increase of \$14,000 in appropriations to 204-07-550-708-7390.

I am also requesting an increase in transfers out of the water and sewer funds into the 204 Utility Billing Fund to cover this cost and any other unanticipated related costs.

(Increase Appropriations) Transfer Out 201-07-550-810-7990 \$10,000

(Increase Appropriations) Transfer Out 202-07-550-810-7990 \$10,000

(Revenue only, no increase in appropriations) 204-00-000-000-4801 \$20,000

Thanks for your attention to this matter.

Brian Huff, Controller

THE PRODUCE PRESCRIPTION PROGRAM

PRx

This program is brought to you by the Kent City Health Department in partnership with Axesspointe and the Haymakers Farmers' Market



Partners in Community Care

What is the PRx Program

The PRx or Produce Prescription Program gives Axesspointe patients, that live or work in the City of Kent, \$120 worth of coupons, **for free**, that can be used at the Haymakers Farmers' Market. This program runs from the beginning of **June 2024** until the end of **September 2024**.



Where the \$120 Can Be Used?

You have access to \$120 worth of vouchers to spend on fresh fruits and vegetables. These can only be used at the Haymakers Farmers' Market,

Where:

outside at 350 Franklin Ave Kent, OH , Located between Main St. and Summit St. under Haymaker Pkwy .

Time:

Saturdays from 9am-1pm.

How do I Qualify?

Participants must:

- live or work in the City of Kent
- be an Axesspointe Community Health Center patient
- be willing to fill out a pre and post assessment, and agree to be screened.



How do I get Signed Up?

You can contact either Axesspointe Community Health Center, or the Kent City Health Department at the contact information given in this brochure.



GET IN TOUCH

Cowen Stevens CHW

cstevens@axesspointe.org

888.975.9188

Jeremy Brewer CHW

jbrewer@axesspointe.org

888.975.9188

Jalessa Caples

Accreditation Coordinator

jalessa.caples@kentohio.gov

330-678-8109 ext. 5204



CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Amy Wilkens

FROM: Jim Bowling *JB*

DATE: May 24, 2024

RE: Haymaker Farmers Market – License to Occupy Revision

The Service Department is requesting Council time to consider the request of the Haymaker Farmers Market to install an additional mural to the Haymaker Parkway Bridge over Franklin Ave./CSX/Cuyahoga River. The additional mural would be installed on the concrete slope protection underneath the bridge. We are also coordinating with the Ohio Department of Transportation (ODOT) to obtain their approval, as ODOT is the owner of the bridge. Lastly, the Farmer's Market is required to follow Section 1106.20 of the Codified Ordinances to obtain a Fine Arts Permit prior to installing the mural.

Attached is an image of the proposed mural and the proposed License Agreement required if all the approvals are obtained for the Haymaker Farmers Market's to install the additional mural.

C: Melanie Baker
Brad McKay
Bridget Susel
Hope Jones

SATURDAYS TASTE LIKE COMMUNITY

A Collaborative Community
Poem Mural between
Haymaker Farmer’s Market
and the Wick Poetry Center



LOCATION

Franklin Ave, Kent, Ohio
Embankment Under Haymaker Pkwy

ABOUT

The “Market Stanzas” project was created collaboratively with Haymaker Farmer’s Market vendors, staff, and community members, beginning during their 30th Anniversary celebration. The Wick Poetry Center introduced their Traveling Stanzas Makerspace bus, collecting poems at the Haymaker Community Potluck event, and through a Market Stanzas website. These contributions were used to script the community poem, “Saturdays Taste Like Community.”

The mural is designed as a patchwork of community voices to be read both individually as stanzas, and collectively as a single poem. Careful attention was paid to complement the current Haymaker mural completed by Elaine Hulihan and community members in 2012 through the use of color, illustration, and typography.

After securing funding, Haymaker Farmer’s Market will install the mural using a lead artist and team of community volunteers.



IN-PROGRESS MOCK-UPS



CITY OF KENT, OHIO
LICENSE AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and Haymaker Farmers Market (HFM Inc.), hereinafter called the "Licensee."

The City is required to maintain Haymaker Parkway per its agreement with the Ohio Department of Transportation, hereinafter known as the "Property." For and in consideration of the covenants, conditions, agreements and stipulations of the License expressed herein, the City does hereby agree the Property may be used by the Licensee for the purpose as outlined in Part 1 below, in accordance with the laws and Charter of the City of Kent. The Property is more particularly described in the attached exhibit listed below.

Exhibit "A" – Site plan showing the area being leased.

The parties hereto covenant and agree as follows:

1. NATURE OF INTEREST:

The Licensee understands that by issuing this license, the City has merely granted the Licensee the right to place a mural on two piers and this license does not grant or convey to the Licensee any interest in the Property.

2. USE:

2.1 The Property shall be used for the purpose of: _____
Placement or installation of a painting on the two easternmost piers
and the concrete slope protection adjacent to the forward abutment of
Bridge No. POR 00043 1152 (SFN 6701132) located on SR 43/59
immediately west of the Haymaker Parkway/Water Street Intersection.

_____ and for no other purpose.

2.2 No structural alterations may be made to the City's property without the express written permission of the City of Kent, Director of Public Service.

3. TERM:

The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on _____, 2024, and ending on _____, 2025 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate per Paragraph 1.

4. NECESSARY LICENSES AND PERMITS:

- 4.1** Licensee shall be licensed to do business in the State of Ohio and City of Kent, and upon request, Licensee shall demonstrate to the City that any and all such licenses are in good standing. Correspondence shall be addressed as follows:

All correspondence to the City shall be addressed:

Service Director
City of Kent
930 Overholt Road
Kent, Ohio 44240

All correspondence to the Licensee shall be addressed:

- 4.2** Licensee shall secure all necessary permits required in connection with the use of the Property and shall comply with all federal, state and local statutes, ordinances, rules, or regulations which may affect, in any respect, Licensee's use of the Property. Licensee shall, prior to the commencement of any work, obtain and thereafter maintain, at its sole cost and expense, all licenses, permits, etc., required by law with respect to its business use of the Property.

5. STORAGE AND VENDING:

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property.

6. TAXES:

Licensee agrees to be responsible for and to timely pay all taxes and/or assessments that may be legally assessed on Licensee's interest, or on any improvements placed by Licensee on said Property, during the continuance of the license hereby created, including any real estate taxes. The Licensee must provide written notice to the City, at the address referenced in Paragraph 4.1, within thirty (30) days of payment of all taxes and/or assessments.

7. DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City highway system. The City Director of Public Service shall act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. CITY USE OF PROPERTY:

If for any reason the Director of Public Service or his duly appointed representative deems it necessary to order the removal, reconstruction, relocation or repair of the Licensee's changes to the City's property, then said removal, reconstruction, relocation or repair shall be promptly undertaken at the sole expense of the Licensee's thereof. Failure on the part of the Licensee to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the Director of Public Service deems necessary.

9. MAINTENANCE OF PROPERTY:

Licensee shall, at its sole expense, keep and maintain the Property free of all weeds, debris, and flammable materials of every description, and at all times in an orderly, clean, safe, and sanitary condition consistent with neighborhood standards. A high standard of cleanliness, consistent with the location of the area as an adjunct of the City, will be required. Defoliant, noxious, or hazardous materials or chemicals shall not be used or stored on the Property.

10. MAINTENANCE OF IMPROVEMENTS:

10.1 Licensee, at Licensee's own cost and expense, shall maintain all of his/her improvements to the Property. Licensee shall take all steps necessary to effectively protect the Property from damage incident to the Licensee's use of such Property, all without expense to the City.

10.2 Licensee shall be liable to, and shall reimburse the City for, any damage to City owned property that in any way results from or is attributable to the use of said Property by the Licensee or any person entering upon the same with the consent of the Licensee, expressed or implied.

11. HOLD HARMLESS:

Licensee shall occupy and use Property at its own risk and expense and shall save the City and the State of Ohio, its officers, agents, and employees, harmless from any and all claims for damage to property, or injury to, or death of, any person, entering upon same with Licensee's consent, expressed or implied, caused by any acts or omissions of the Licensee.

12. **INSURANCE:**

12.1 At the time of the execution of this Agreement, Licensee shall, at its own expense, take out and keep in force during the terms of this Agreement:

(a) Liability insurance, in a company or companies to be approved by the City to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than ***Five Hundred Thousand Dollars (\$500,000.00)***, to indemnify against the claim of one person, and in the amount of not less than ***One Million Dollars (\$1,000,000.00)*** against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies to be approved by the City to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than ***One Hundred Thousand Dollars (\$100,000.00)***. Said policies shall inure to the contingent liabilities, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the policies. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

12.2 A copy of the "Certificate of Insurance" will be submitted to the City at the time of execution of license and annually thereafter.

13. **MODIFICATION:**

The terms of this Agreement may be modified upon agreement of the parties.

14. **REVOCATION AND TERMINATION:**

14.1 The City may revoke this license at any time. The Licensee may terminate this Agreement at any time.

14.2 In the event this license is revoked or the Agreement is terminated the Licensee will peaceably and quietly leave, surrender, and yield up to the City the Property. The Property will be restored to its previous condition at the expense of the Licensee and no costs for removal will be reimbursed by the City.

14.3 Upon revocation of the license or upon termination or expiration of Agreement, any personal property, or other appurtenances, including all footings, foundations, and utilities, placed on the City property will be removed by Licensee. If any such appurtenances are not so removed after ninety (90) days written notice from the City to the Licensee, the City may proceed to remove the same and to restore the Property and the Licensee will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. RELOCATION:

A Licensee who licenses property from the City shall not be eligible for relocation payments.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate by the parties hereto as of the date herein last written below. Licensee acknowledges receipt of a copy of this Agreement and agrees to comply with the provisions herein contained.

LICENSEE(S):

Signature

Signature

Mailing Address

Telephone

Date

CITY OF KENT, OHIO

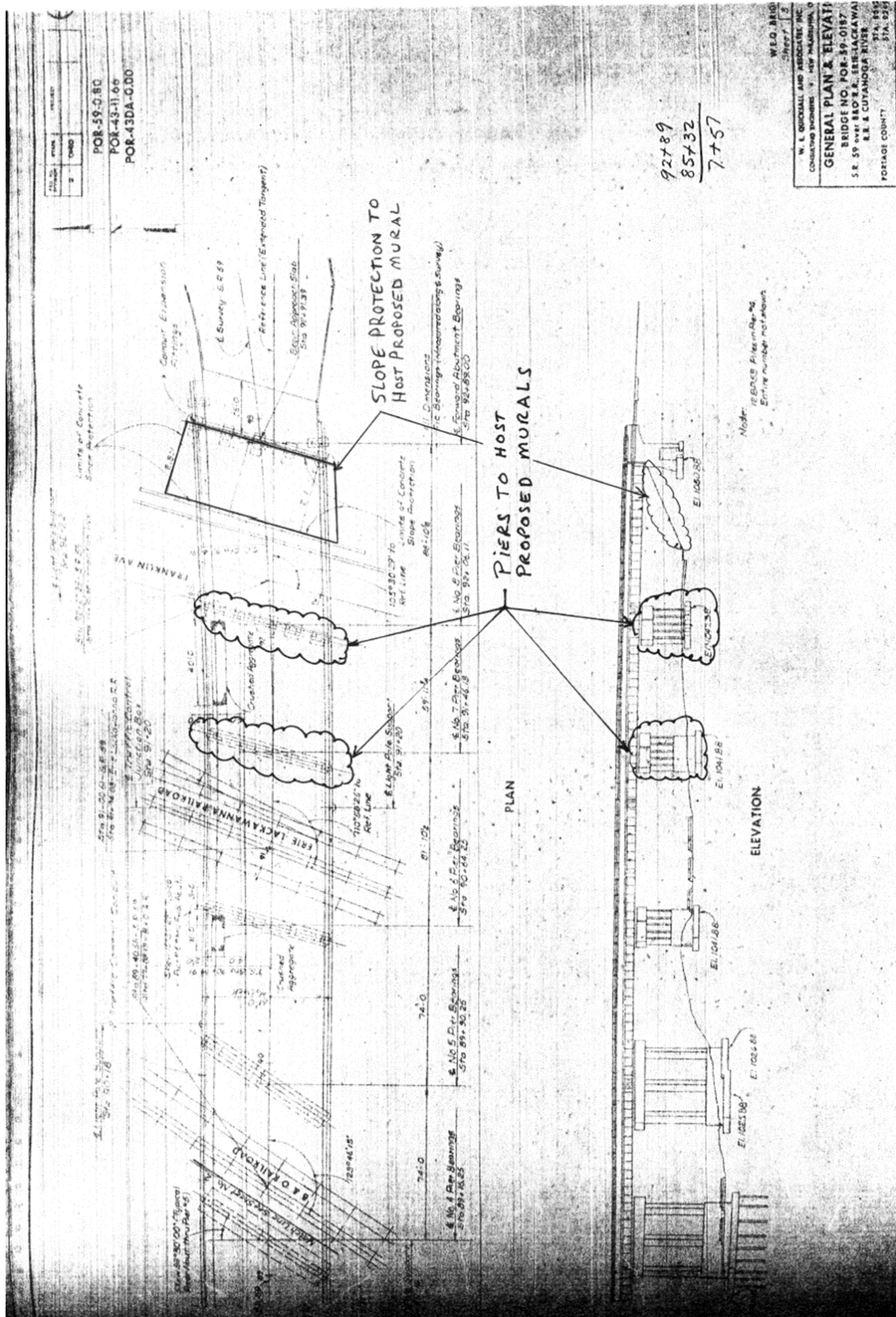
Director of Public Service

Date

APPROVED AS TO FORM:

Hope Jones, Law Director
City of Kent

EXHIBIT "A" **SITE PLAN**





CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: May 28, 2024

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director 

RE: Proposed Text Amendments to Zoning Code

On January 17, 2024, Kent City Council authorized a temporary moratorium for “adult use cannabis operators, testing laboratories, and individuals” in response to a request from the Community Development and Law Departments that was based upon the fact that Ohio voters had approved Issue 2, but the Ohio General Assembly had not taken any action on developing and implementing administrative rules and regulations in association with the new approved ballot measure.

The Ohio General Assembly still has not taken any legislative action, but members of Council requested the administration review possible zoning text amendments in order to incorporate the new land use of “adult use cannabis (recreational) facilities” into the Zoning Code.

The enactment of Issue 2 resulted in development of a new Ohio Revised Code (ORC) Chapter 3780. Section 3780.01(A)(2) “Definitions” specifies “adult use cannabis operator means a level I use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor, and an adult use dispensary.”

When medical marijuana was authorized through a ballot initiative back in 2016, it took approximately 15-16 months for the Ohio Department of Commerce, working in conjunction with the Ohio Board of Pharmacy, to establish separate definitions and requirements for the various types of marijuana facilities (i.e. cultivator I & II, processor, dispensary, testing laboratories). Once these requirements were finalized, the City of Kent adopted 5 different medical marijuana land uses into its Zoning Code with each separate land use having its own definition, conditions, and specified zoning district(s) in which each use could operate as a conditionally permitted use.

The General Assembly has not taken any action yet but can at any time (see question #2 on attached Ohio Department of Commerce FAQ) so any proposed Zoning Code text amendments for this new land use may need to be amended in the future if definitions, regulations, etc. are finalized by the State of Ohio that result in a conflict with any adopted Zoning Code amendments.

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www.KentOhio.org

This potential for a future conflict resulted in the Community Development and Law Departments developing proposed amendments that are based on the current new ORC Chapter 3780 and in consideration of the Ohio Department of Commerce Division of Cannabis Control (DCC) proposed rules (see attached). Unlike with medical marijuana, the DCC proposed rules do not differentiate cultivators, processors or dispensaries as separately defined adult use cannabis operators. The proposed “dual-use” license application will be available on June 7, 2024, with provisional licenses issued by September 7, 2024 and these can be issued to existing medical marijuana dispensaries, medical marijuana cultivators, and medical marijuana processors.

Without having a distinction among dispensaries, cultivators, and processors, the Community Development and Law Departments identified the Industrial (I) Zoning District as the zoning district that will result in the fewest opportunities for potential conflicts with residential areas and minimize the possible development of “pre-existing nonconforming uses” if the Ohio General Assembly establishes regulations that separately define the types of “adult use cannabis” operators or establish minimum setback requirements from residential or other uses.

Staff met with the Planning Commission on May 21, 2024 to discuss the proposed text amendments. During the discussion, all four Planning Commission members who were present for the meeting expressed support for continuing the temporary moratorium for “adult use cannabis facilities” until the State General Assembly takes action on this matter. The Planning Commission, however, recognized it needed to formally vote on a recommendation to Kent City Council on the proposed amendments and voted unanimously to recommend Council approve all of the proposed text amendments as presented by staff.

Attached are the proposed Zoning Code text amendments. All new language is shown in blue and the Zoning Code chapters/sections the amendments apply to are listed in green.

The following chapters incorporate proposed text amendments:

- CHAPTER 1102: DEFINITIONS
- CHAPTER 1103: ZONING DISTRICTS, LAND USE, AND ZONING MAP
- CHAPTER 1105: CONDITIONS APPLICABLE TO SPECIFIC LAND USES
- CHAPTER 1107: PARKING, LOADING AND ACCESS MANAGEMENT

I am respectfully requesting time at the June 5, 2024 Council Committee meeting to discuss the proposed text amendments recommended by the Planning Commission in greater detail and to request Council authorization to incorporate the text amendments into the City’s Zoning Code.

Please let me know if you require any additional information in order to add this item to the June 5, 2024 Land Use Committee agenda. Thank you.

Cc: Hope Jones, Law Director
Eric Fink, Assistant Law Director
Amy Wilkens, Clerk of Council
Tim Sahr, Development Engineer
Kailyn Cyrus, Development Planner

Attachments

The proposed text amendments listed in blue below will allow for the establishment of two new land use categories:

1. Vape Shop
2. Adult Use Cannabis Facility

SECTION 1102.07: DEFINITIONS

(#) Vape Shop: A retail establishment where a substantial portion of the use 20% of its retail display floor area is for the sale and display of alternative nicotine products, e-liquids, or electronic nicotine delivery systems, including but not limited to e-cigarettes, vapes, pens, rigs, tanks, mods, or pod-mods for the delivery and human consumption of nicotine, or any other substance intended for human consumption, that can be used by a person to simulate smoking through the inhalation of vapor or aerosol.

(#) Adult Use Cannabis (Recreational) Facilities: A level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor, an adult use dispensary, or adult use testing laboratory, as defined in Section 3780.01(A) of the Ohio Revised Code (ORC), engaged in the processing, testing, dispensing, or sale of marijuana, as the term marijuana is defined in Section 3719.01 of the Ohio Revised Code.

SECTION 1103.07: TABLE OF LAND USES BY DISTRICT

													I	
Vape Shops													C	<u>Error! Reference source not found.</u>
													I	
Adult Use Cannabis (Recreational) Facilities													C	<u>Error! Reference source not found.</u>

SECTION 1103.22: I: INDUSTRIAL DISTRICT

(C) Conditionally Permitted Uses

to be assigned. Vape Shops

to be assigned. Adult Use Cannabis (Recreational) Facility

SECTION 1105.66: VAPE SHOPS

(numbering will shift for other listed land uses)

(A) Potential Concerns.

(1) Hours of Operation.

(2) Lighting.

(B) Conditions.

(1) Every vape shop must not be located within five hundred (500) feet of another vape shop.

SECTION 1105.01: ADULT USE CANNABIS (RECREATIONAL) FACILITIES

(numbering will shift for other listed land uses)

(A) Potential Concerns.

(1) Hours of Operation.

(B) Conditions.

(1) Such uses must be conducted at least five hundred (500) feet from any residential district.

(2) The operation and maintenance of such use must be such that they will not be hazardous, noxious, or offensive due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matters or water-carried wastes.

(3) Every adult use cannabis facility must comply with all licensing requirements of the Ohio Revised Code Chapter 3780 Et. Seq., as amended. Such facilities must operate in compliance with every State of Ohio law and City ordinance.

(4) Every adult use cannabis facility must not be located within five hundred (500) feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, or public park. This does not apply to research related to marijuana conducted at a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

(5) Every adult use cannabis facility must not be located within five hundred (500) feet of a community addiction services provider.

(6) Every adult use cannabis facility must not be located within five hundred (500) feet of another adult cannabis facility.

SECTION 1107.05: MINIMUM NUMBER OF PARKING SPACES REQUIRED

(A) The following standards must be used in order to determine the minimum number of parking spaces required for the specified use:

<u>Use</u>	<u>Parking Requirements</u>
Adult Use Cannabis Facilities	One (1) parking space per 500 sq. ft.



Department of
Commerce

Non-Medical Cannabis FAQ

On November 7, 2023, a majority of Ohio voters approved Issue 2 to legalize the possession and use of marijuana by individuals aged 21 and over, the sale of marijuana by state-licensed dispensaries to those individuals, and to create the Division of Cannabis Control within the Ohio Department of Commerce.

PLEASE NOTE: The following information is based on the initiated statute ballot measure approved by voters. Because it is an initiated statute, it may be amended by the state legislature. Any amendments to the statute could impact the timeline for the rulemaking and licensing processes, and dispensary sales.

Non-medical cannabis is not yet available to purchase in licensed dispensaries and the general public at this moment is not permitted in dispensaries unless the individual is a registered patient or caregiver in the Ohio Medical Marijuana Control Program (MMCP). Currently there are no individuals or entities licensed to sell non-medical cannabis in the state of Ohio, and any sale of marijuana prior to non-medical licenses being issued may be subject to criminal penalties.

The new division within Commerce has nine months to complete the rulemaking and licensing processes for non-medical cannabis. Sales of non-medical cannabis may not begin until licenses are issued and facilities are certified. The MMCP will continue to be administered by the Division of Cannabis Control and MMCP patients and caregivers are encouraged to keep their patient or caregiver card active, even after non-medical cannabis sales begin.

Rules proposed by the Division can be found [here](#).

Please see the following FAQs for additional information.

LICENSING & APPLICATIONS

✓ 1. When is the initiated statute effective?

The initiated statute became effective December 7, 2023 - 30 days after the date of the election.

✓ 2. Can the General Assembly make changes to the statute?

Yes, the state legislature can amend the law at any time.

✓ 3. When will non-medical marijuana be available for purchase?

The initiated statute laid out a process for non-medical cannabis licensure that includes licensing applications and a timeline requiring that initial applications be available by June 7, 2024 and provisional licenses be issued by September 7, 2024. Therefore, pursuant to the statutory requirements, the Division must build a framework to complete the licensing application process for all non-medical cannabis licenses. This application process must be completed before non-medical licenses can be issued.

Therefore, non-medical marijuana is not yet available to purchase in dispensaries. The public is not permitted in medical marijuana dispensaries unless the individual is a registered patient or caregiver in the Ohio Medical Marijuana Control Program (MMCP).

Currently there are no individuals or entities licensed to sell non-medical cannabis in the state of Ohio, and any sale of marijuana prior to non-medical licenses being issued may be subject to criminal penalties.

The new Division of Cannabis Control (DCC) must adopt rules necessary to initially implement the initiated statute within nine months of the effective date. After the DCC issues licenses and those facilities are certified to operate under the new law and rules, the first non-medical marijuana sales can occur.

Rules proposed by the Division can be found [here](#).

4. When will the rules for non-medical marijuana be available?

The Division has released initial draft rules for stakeholder feedback related to the medical marijuana patient registration fee, medical marijuana processor fees, medical marijuana employee provisional badging, and non-medical license applications.

The initiated statute provides that the DCC has nine months following the effective date of the statute (Dec. 7, 2023) to adopt rules necessary to initially implement the non-medical program.

Rules proposed by the Division can be found [here](#).

5. Will there be a license application process open to the public?

Pursuant to the initiated statute, the Division will issue 40 level III cultivator licenses and 50 dispensary licenses with a preference to certified participants in the Cannabis Social Equity and Jobs Program to be established by the Ohio Department of Development. Once that program is established and applicants are certified, the DCC has the authority to request applications for these licenses.

The initiated statute does not provide for any other licensing applications to be opened to the public initially. Following 24 months from the first date of issuance of a non-medical cannabis operator license, the DCC must review the number of licenses on a biannual basis and may authorize additional licenses.

6. How many new licenses will there be?

Pursuant to the initiated statute requirements, each current medical marijuana cultivator, processor, testing laboratory, and dispensary will receive a non-medical cannabis cultivation, processing, testing, and dispensing license, respectively. Those licenses are for the same location at which they are currently operating.

Additionally, each current medical marijuana level I cultivator will receive three dispensary licenses, while current medical marijuana level II cultivators will receive one dispensary license. Each medical marijuana dispensary that is not commonly owned or controlled by a cultivator or processor will receive an additional non-medical cannabis dispensary license at new locations selected during the application process.

Finally, 40 level III cultivator licenses and 50 dispensary licenses will be issued to applicants with a preference to participants of the Cannabis Social Equity and Jobs Program, which the statute prescribes to be established by the Department of Development.

7. Will there still be a medical program?

Yes. The Medical Marijuana Control Program (MMCP) will continue to be administered by the DCC and MMCP patients and caregivers are encouraged to keep their patient or caregiver card active.

Remaining as a patient within the MMCP:

- Ensures the patient is speaking with a physician about their qualifying condition and maintains access to medical marijuana at current operational medical marijuana dispensaries.
- Provides medical marijuana patients access to discounts that may be offered at a dispensary.
- Exempts medical marijuana sales from the 10% excise tax levied on non-medical sales per the approved statute.

Additionally, employers have discretion to establish their own drug-free workplace policies. Some individual employers have chosen to take the status of an employee as a medical marijuana patient into consideration. Similar considerations have been given for individuals under court supervision who are a medical marijuana patient. For information about your workplace policy, you should speak with your employee. For information about how medical marijuana use may affect your court supervision, you should speak with your attorney or probation officer.

The Division has [proposed a rule](#) to eliminate the medical marijuana patient and caregiver fee.

8. Will non-medical cannabis be taxed?

Yes. Non-medical cannabis sales are subject to state and local sales tax. In addition, the initiated statute includes a 10%

excise tax on non-medical cannabis purchases. The excise tax revenue will go toward a social equity and jobs program, mental health and addiction services, local governments, and the administrative costs of the Ohio Department of Taxation and the Division of Cannabis Control.

CONSUMERS

1. When is the initiated statute effective?

The initiated statute became effective December 7, 2023 - 30 days after the date of the election.

2. Can the General Assembly make changes to the statute?

Yes, the state legislature can amend the law at any time.

3. When will non-medical marijuana be available for purchase?

The initiated statute laid out a process for non-medical cannabis licensure that includes licensing applications and a timeline requiring that initial applications be available by June 7, 2024 and provisional licenses be issued by September 7, 2024. Therefore, pursuant to the statutory requirements, the Division must build a framework to complete the licensing application process for all non-medical cannabis licenses. This application process must be completed before non-medical licenses can be issued.

Therefore, non-medical marijuana is not yet available to purchase in dispensaries. The public is not permitted in medical marijuana dispensaries unless the individual is a registered patient or caregiver in the Ohio Medical Marijuana Control Program (MMCP).

Currently there are no individuals or entities licensed to sell non-medical cannabis in the state of Ohio, and any sale of marijuana prior to non-medical licenses being issued may be subject to criminal penalties.

The new Division of Cannabis Control (DCC) must adopt rules necessary to initially implement the initiated statute within nine months of the effective date. After the DCC issues licenses and those facilities are certified to operate under the new law and rules, the first non-medical marijuana sales can occur.

Rules proposed by the Division can be found [here](#).

4. Will there still be a medical program?

Yes. The Medical Marijuana Control Program (MMCP) will continue to be administered by the DCC and MMCP patients and caregivers are encouraged to keep their patient or caregiver card active.

Remaining as a patient within the MMCP:

- Ensures the patient is speaking with a physician about their qualifying condition and maintains access to medical marijuana at current operational medical marijuana dispensaries.
- Provides medical marijuana patients access to discounts that may be offered at a dispensary.
- Exempts medical marijuana sales from the 10% excise tax levied on non-medical sales per the approved statute.

Additionally, employers have discretion to establish their own drug-free workplace policies. Some individual employers have chosen to take the status of an employee as a medical marijuana patient into consideration. Similar considerations have been given for individuals under court supervision who are a medical marijuana patient. For information about your workplace policy, you should speak with your employee. For information about how medical marijuana use may affect your court supervision, you should speak with your attorney or probation officer.

The Division has [proposed a rule](#) to eliminate the medical marijuana patient and caregiver fee.

5. Are there age restrictions for the consumption of non-medical marijuana?

Yes. An individual must be at least 21 years old to purchase, possess, grow, or use non-medical marijuana.

6. Can individuals purchase marijuana in other states and bring it to Ohio?

No. Federal law prohibits traveling across state lines with marijuana.

7. Can consumers grow their own marijuana now?

Yes. [Chapter 3780.29](#) of the initiated statute permits adults aged 21 and over to grow their own marijuana at home, subject to limitations prescribed in the statute, such as:

- Ensuring that marijuana is kept in a secured, enclosed area that prevents access by individuals under the age of 21 and which is not visible by normal unaided vision from a public space.

- A maximum of 6 plants per individual, 12 per household if there are two or more adults 21 and over.
 - Processing home-grown cannabis by manual or mechanical means is permissible. Individuals are prohibited from processing home-grown cannabis by hydrocarbon-based extraction.
 - Transferring up to 6 plants to a non-medical consumer is permissible; however, it is prohibited to receive payment for the plants or to advertise or promote such transfers to the public.
- Please note, although Ohioans are now legally able to grow marijuana, under current law there is no legal way to purchase it, including plants or seeds, until non-medical dispensaries begin sales. The DeWine Administration has endorsed a legislative proposal to allow medical marijuana dispensaries to sell marijuana products, including plants and seeds for home grow, as soon as the legislation can become effective.
- **8. How much cannabis can I possess?**
Pursuant to the initiated statute, the amount of cannabis that may be possessed, transferred, or transported by a non-medical consumer is 15 grams of extract and 2.5 ounces of another form.
- **9. Will non-medical cannabis be taxed?**
Yes. Non-medical cannabis sales are subject to state and local sales tax. In addition, the initiated statute includes a 10% excise tax on non-medical marijuana purchases. The excise tax revenue will go toward a social equity and jobs program, mental health and addiction services, local governments, and the administrative costs of the Ohio Department of Taxation and the Division of Cannabis Control.
- **10. What forms of marijuana will be available for purchase at a non-medical cannabis dispensary?**
The initiated statute permits the following forms of non-medical cannabis to be sold at dispensaries: plant material and seeds, live plants, clones (a non-flowering plant cut from a mother plant), extracts, drops, lozenges, oils, tinctures, edibles, patches, smoking or combustible product, vaporization of product, beverages, pills, capsules, suppositories, oral pouches, oral strips, oral and topical sprays, salves, lotions or similar cosmetic products, and inhalers.
- **11. Am I allowed to use marijuana in public?**
No. The initiated statute states that a non-medical cannabis consumer who uses non-medical cannabis in public areas is guilty of a minor misdemeanor. Additionally, Ohio's law prohibiting smoking or vaping in public indoor spaces applies to marijuana as well.
- **12. Can I drive after using marijuana?**
No. Per the initiated statute, an individual is prohibited from operating a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft while using cannabis or while under the influence of cannabis. Additionally, an individual is prohibited from smoking, vaping, or using any other combustible cannabis product while in a vehicle, motor vehicle, streetcar, trackless trolley, bike, watercraft, or aircraft.
- **13. Can my employer fire me for using marijuana?**
Yes. The law allows an employer to fire, discipline, refuse to hire, or take other adverse employment action against an individual because of the individual's use, possession, or distribution of cannabis.
An employer may establish and enforce a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy. An individual who is fired because of the individual's use of cannabis is considered to have been fired for just cause for the purposes of unemployment compensation review, if the individual's use of cannabis was in violation of the employer's drug-free or zero-tolerance policy, or other program or policy regulating the use of cannabis.
Additionally, pursuant to the law as approved by voters, all federal restrictions on employment, including the regulations adopted by the United States Department of Transportation in Title 49 of the Code of Federal Regulations, remain in place.
For information about your workplace policy, you should speak with your employer.
- **14. Can I purchase a gun if I use marijuana?**
The federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) has issued a public statement that any person who is an unlawful user of or addicted to any controlled substance is prohibited from shipping, transporting, receiving, or possessing firearms or ammunition under federal law.

The ATF also clarified that an individual who is a current user of marijuana, whether for recreational or medical purposes, is federally defined as an "unlawful user" of a controlled substance under federal law.
If you have questions about your individual situation, you should seek the advice of an attorney.

RULES

- **1. What is the rulemaking process?**
The rulemaking process provides multiple opportunities for stakeholders and the public to provide feedback. This includes the Common Sense Initiative (CSI) and Joint Committee on Agency Rule Review (JCARR) processes, and may also include an informal early stakeholder outreach period.

Common Sense Initiative (CSI)
All rules with an adverse impact to business, as defined in [Ohio Revised Code 107.52](#), must be submitted to CSI. This process includes a public comment period designated by the DCC.

Joint Committee on Agency Rule Review (JCARR)
When adopting, amending, or rescinding a rule, the DCC will set a date for a public hearing and provide public notice in the Register of Ohio at least 30 days prior. The public notice will include a copy of the proposed rule, as well as the date, time, and location of the public hearing. At the hearing, any person affected by the proposed rule may present their comments orally or in writing.

- **2. What rules regarding non-medical cannabis has the Division proposed?**

On January 29, 2024, the Division requested stakeholder feedback on the first set of proposed rules for non-medical cannabis.
Specifically, the proposed rules address non-medical license applications for current medical marijuana facilities and "10(B)" dispensary licenses as outlined [here](#). These applications will be available by June 7, 2024, and provisional licenses will be issued by September 7, 2024.

The rules also provide a framework for future application periods pursuant to Ohio Revised Code (O.R.C.) 3780.10, including for level III cultivators and dispensaries with a preference toward applicants who have been certified as participants in the Cannabis Social Equity and Jobs Program.

The request for stakeholder feedback, a summary of the proposed rules, and the full text of the proposed rules can be found [here](#).

- **3. What is the timeline for rulemaking and licensing?**

- Initial rules were released for early stakeholder feedback on January 29, 2024. Feedback is requested by February 9.
- After reviewing feedback and considering updates, the rules will be submitted to the Common Sense Initiative (CSI) and the CSI public comment period will open.
- Following the CSI process, the rules will be submitted to the Joint Committee on Agency Rule Review (JCARR).
- Initial application rules will be established by June 7, 2024.
- Initial license applications as required by the initiated statute for current medical marijuana operators will be available by June 7, 2024.
- Provisional dispensary licenses will be awarded by September 7, 2024.

- **4. How can I stay updated on the rulemaking process?**

All proposed rules will be posted on the Division's website [here](#). Stakeholder questions and comments may be submitted to DCCRules@com.ohio.gov.

Additionally, you may sign-up for email notifications from the Division [here](#).



Mike DeWine, Governor Jon Husted, Lt. Governor Sherry Maxfield, Director

The Division of Cannabis Control (“DCC” or “the Division”) seeks initial stakeholder feedback on proposed rules related to adult use cannabis license applications.

Please read the following carefully to understand the Division’s plan to meet the statutory requirements and deadlines for the initial adult use license applications for **current medical marijuana facilities and “10(B)” dispensary licenses** as outlined below. These applications will be available by June 7, 2024, and provisional licenses will be issued by September 7, 2024.

The rules also provide a framework for future application periods pursuant to Ohio Revised Code (O.R.C.) 3780.10, including for level III cultivators and dispensaries with a preference toward applicants who have been certified as participants in the Cannabis Social Equity and Jobs Program.

The proposed rules provide the following basic framework.

1. Current Medical Marijuana Facilities

Pursuant to O.R.C. 3780.10, the Division must issue adult use licenses by September 7, 2024, to applicants who have a medical marijuana certificate of operation or provisional license issued under O.R.C. 3796.

- a. The draft rules propose to make applications available for a dual-use license.
 - i. A dual-use license permits the licensee to participate in both the medical and adult-use cannabis markets.
 - ii. A current medical marijuana licensee who wishes to participate in the adult-use cannabis market at their current location must apply for a dual-use license.
 - iii. There is no application fee for a dual-use license application.

2. Additional “10(B)” Dispensaries

Pursuant to O.R.C. 3780.10(B), the following licenses (i.e., “10(B)” dispensary licenses) must be issued:

- For a **Level I medical marijuana cultivator** with a certificate of operation or provisional license: **3 dispensary licenses per entity** at locations designated in a license application.
- For a **Level II medical marijuana cultivator** with a certificate of operation or provisional license: **1 dispensary license per entity** at a location designated in a license application.
- For a **medical marijuana dispensary** with a certificate of operation or provisional license, which **does not have any common ownership or control with any cultivator or processor**: **1 dispensary license per entity** at a location designated in a license application.

To meet the application and timeframe requirements set in statute, the Division proposes the following process.

1. The Division will determine each entity that is eligible to apply for the “10(B)” dispensary licenses and the total number of “10(B)” dispensary licenses for which an entity is eligible.
 - a. The entity determination and total number of eligible licenses will be based upon a review of records obtained by the Division related to licensed medical marijuana entity common ownership and control. The Division will provide these determinations to licensed medical marijuana entities prior to accepting “10(B)” dispensary applications. Entities will then be provided an opportunity to review the determinations and share any further relevant information with the Division.
2. Eligible entities must submit a complete application as outlined in the proposed rules. This includes information such as primary point of contact, a roster of all owners and officers, a \$5,000 application fee, and for each “10(B)” dispensary license a designation of dual-use or adult-use only.
3. All applicants are entered into a drawing conducted by a third-party operator.
 - a. Each applicant will be entered into the drawing for each “10(B)” dispensary license for which they are eligible.
 - b. If an applicant designated their “10(B)” dispensary license as dual use on the application, they will be entered into the drawing for twice the chance per license of a higher ranking.
 - a. For example, ABC Corp. is eligible for 3 dispensaries. ABC Corp. indicated on their application that two dispensaries will be dual use and one will be adult use only. When ABC Corp.’s dispensaries are entered into the drawing, the two that will be dual use will each be entered into the drawing twice for the chance at a higher ranking. The one dispensary that is adult use only will only be entered into the drawing once. For the dual use licenses that are entered twice, the higher ranked position will be selected as their final ranking.
 - b. Being entered into the drawing twice is only for purposes of the chance at a higher ranking – it does not affect the total number of licenses for which an entity is eligible.
4. Following the drawing, applicants will be notified of their randomly assigned rank(s).
5. Next, applicants will select facility sites in two phases, as follows:

Phase One

1. All applicants must submit to the Division ONE facility site selection by a deadline established by the Division.
 - i. No proposed dispensary may be within one mile radius of a licensed dispensary or another proposed facility site.
2. The Division will review all site selections and determine if any are within one mile of a licensed dispensary or another proposed facility site.
 - i. If a proposed facility site is within one mile of an existing medical marijuana dispensary, the applicant must select another site.
 - ii. If two or more proposed facility sites are within one mile of each other, the entity(ies) who had the lower drawing rank must select a different facility site.
3. The Division will publish the location of selected sites approved and notify applicants who must select a new site. Those applicants will be provided a timeframe to select a new site.

4. At the end of that timeframe, the Division will review the new proposed sites and quickly determine if any are within one mile of a licensed dispensary or another proposed facility site.
 - i. If a proposed facility site is within one mile of an existing medical marijuana dispensary, the applicant must select another site.
 - ii. If two or more proposed facility sites are within one mile of each other, the entity(ies) who had the lower drawing rank must select a different facility site.
5. The DCC proceeds with the process described in step 3 above.
 - i. Any applicants who did not submit a new site within the previous timeframe may do so at this time.
6. At the deadline for Phase One as published by the Division, the process will move on to Phase Two.
 - i. Should any applicants not have an approved location at the conclusion of Phase One, the site selection process for that facility will move to Phase Two.

Phase Two

1. The Division will publish a list of applicants and their associated number of "10(B)" dispensary licenses remaining for Phase Two.
2. The Division will establish and make publicly available regional districts throughout the state, and the total number of licenses available in each regional district.
3. Eligible applicants must submit their preferred regional districts to the Division.
4. Applicants will be notified of their assigned regional districts based on the randomly assigned rank established by the prior drawing.
 - i. Applicants must then submit to the Division their proposed facility site within the assigned regional district.
 - ii. If a proposed facility site is within one mile of an existing dispensary or a site selected during Phase One, the applicant must select another site.
 - iii. If two or more proposed facility sites are within one mile of each other, the entity who had the lower drawing rank must select a different facility site.
5. The Division will publish the location of selected sites approved and notify applicants who must select a new site. Those applicants will be provided a timeframe to select a new site.
6. At the end of that timeframe, the Division will review the proposed sites and quickly determine if there are any within one mile of a licensed dispensary, a previously approved site, or another proposed facility site.
 - ii. If a proposed facility site is within one mile of an existing medical marijuana dispensary, the applicant must select another site.
 - iii. If two or more proposed facility sites are within one mile of each other, the entity(ies) who had the lower drawing rank must select a different facility site.
7. The DCC proceeds with the process described in step 5 above.
 - a. Any applicants who did not submit a new site within the previous timeframe may do so at this time.
8. All applicants who have submitted a completed application and approved facility site will be granted a provisional license.

6. Cannabis Social Equity & Jobs Program Participants

In coordination with the Cannabis Social Equity & Jobs Program (program) to be established by the Ohio Department of Development, the Division will provide notice in advance of the application period for which preference will be given to participants in the program.

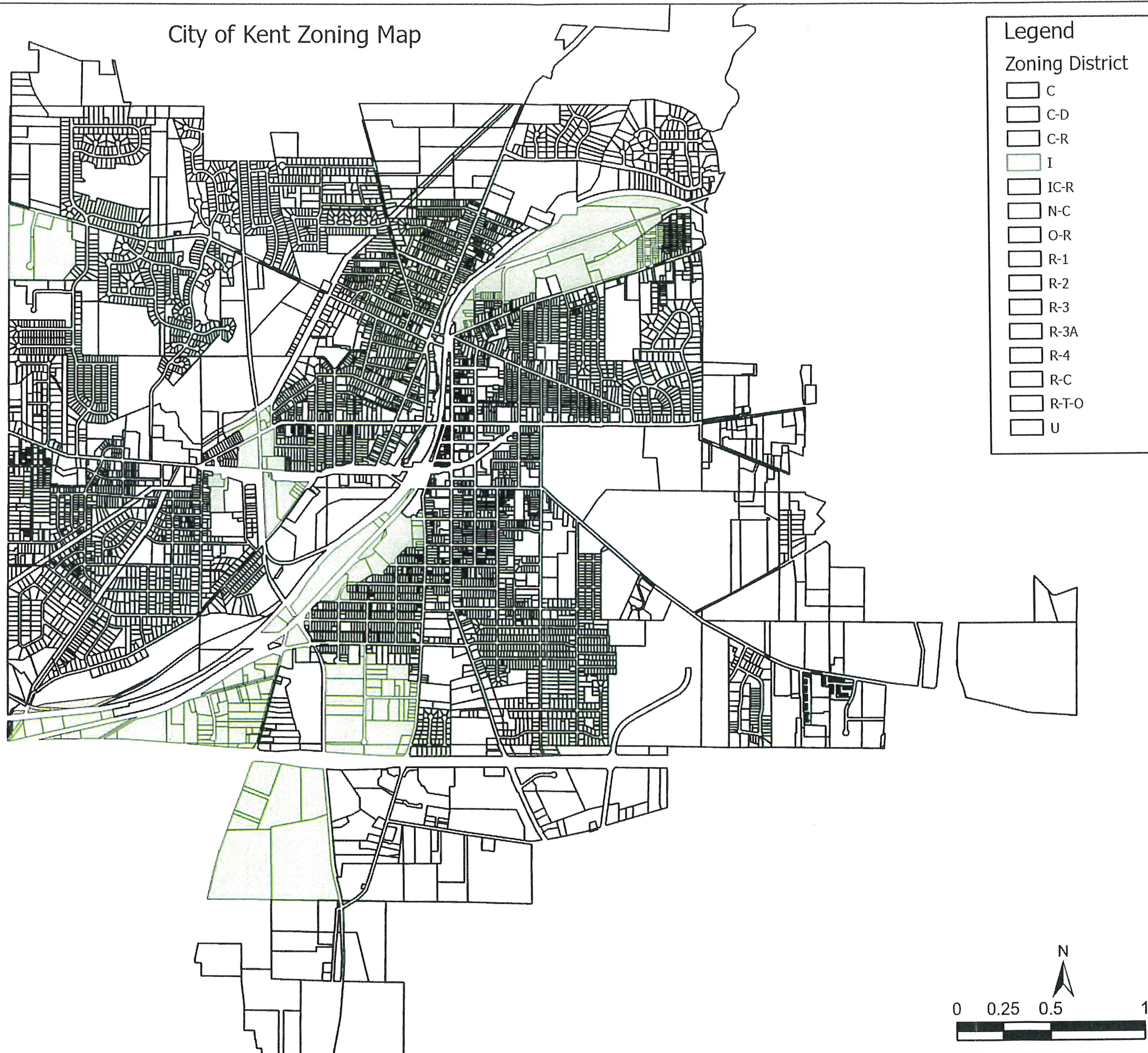
7. 24-Month Review

Pursuant to O.R.C. 3780.10, the Division will review the number of cannabis operator licenses 24 months after the first issuance of an adult use operator license, and on a biannual basis thereafter. The Division may authorize additional application periods.

The full text of the proposed rules can be found [here](#). Stakeholders may submit comments to DCCRrules@com.ohio.gov by Friday, February 9, 2024.

The Division will review and consider the comments received prior to submitting the proposed rules to the Common Sense Initiative and the Joint Committee on Agency Rule Review in accordance with Chapter 119 of the Ohio Revised Code. Both of those processes will provide stakeholders further opportunity to comment on the proposed rules.

City of Kent Zoning Map



Legend

Zoning District

- C
- C-D
- C-R
- I
- IC-R
- N-C
- O-R
- R-1
- R-2
- R-3
- R-3A
- R-4
- R-C
- R-T-O
- U

