

**RAVENNA CITY PLANNING COMMISSION
MINUTES
MARCH 26, 2024
6:00PM
RAVENNA CITY HALL COUNCIL CHAMBERS**

Frank Seman called meeting to order at 6:03PM

ROLL CALL:	Bill Barber	Present
	Tim Contant	Present
	Mark Hairston	Present
	Carmen Laudato	Present
	Frank Seman	Present
	Jonathan Jennings	Present
	Josh Smith	Excused
	Bob Finney	Present

Also in attendance: Clifford Soudil 464 Woodland Street, and Lydia Jennings 222 Grant Street.

Frank Seman entertained a motion to excuse Josh Smith; Mark Hairston made the motion and Carmen Laudato seconded.

ALL AYES: Josh Smith excused.

MINUTES: Approval of minutes February 27, 2024.

Frank Seman entertained a motion to approve minutes; Mark Hairston made the motion and Carmen Laudato seconded.

ALL AYES: MINUTES APPROVED

NEW BUSINESS: Business Illumination

NEW BUSINESS: Adult Use Cannabis

Frank Seman: The purpose of the meeting tonight was suggested by Carmen Laudato at the last meeting, to discuss illumination and to pass recommendations on to City Council.

Bob Finney: We can hold off on that until she gets here.

Frank Seman: Yes, we will discuss Adult Cannabis use first.

Bob Finney: It's no secret that the state has legalized marijuana, recreational sales, growing and processing. A few years ago, when medical marijuana was approved, City Council passed two ordinances, which you have in your packets. Those have been modified, so if you could write "draft" across the top, so in case someone thinks it is our ordinance, it is not, it is a draft.

Rob Kairis graciously put this together through discussions with Council and myself. Instead of writing a whole separate ordinance with regard to medical and recreational, he just took "medical" off the ordinance, and it will be for both. We believe the state is going to have similar parameters, certain distance from a school and child services, and have spoken to the current business that sells medical marijuana, they also have place in Michigan, and they have seen a lot of similarities. One of the things they did say in Michigan, they have a very small medical marijuana sales, because they have recreational now. The benefit between the two is the sales tax is half the price of the medical as it is for recreational, could be 8-10% sales tax, then medical would-be half of that. If you had a medical card, maybe you would continue to use it, but they are not seeing that in Michigan.

It has been my desire and push to Council that I want Planning Commission to be able to approve these, this is the commission that approves conditional permitted uses, where City Council does not have that power, they have the power to veto a non-conforming use at the next meeting. So, if Planning Commission approves a non-conforming use, City Council has the ability at the following meeting to veto that permit.

The way the medical is set up, we allowed all three operations in the Industrial zoning, which is located around all the railroad tracks, so the land that parallels the tracks. The other zones, we have it as medical sales

only, is conditionally permitted. We are not allowing growing or processing anywhere else, only in the Industrial zone.

My recommendation to Rob was to get started and show it that way and that is the draft that you have. The last few pages, you will see that he had edited the word document with some questions in pink, the questions that City Council wanted some feedback on.

A couple of council members didn't think it was an issue to have recreational sales in the Central Business District, I see an issue with parking. Currently, if you have a business in the Central Business District, or you are leasing a space or own a building, you do not need to provide parking for your business. Anywhere else in the zones you need to provide parking spaces. One of my big concerns is to provide parking spaces for this type of business, and the other is that the type of business that Planning Commission would like to see Downtown? The way the ordinance is written, they are allowed to have a sign but not allowed to have a marijuana leaf or anything showing relation to that, just a simple clean sign on the door, or wall with an address or a phone number. There is some protection from a signage standpoint, in the Central Business District.

Bill Barber: Is there anything written about customers sitting in their vehicles parking and opening packages after making the purchase?

Bob Finney: Correct, there is nothing written, because it will be the same as with alcohol, you are not allowed to go the liquor store and open it up in parking lot, that is illegal, and marijuana will be the same.

Bill Barber: Can you tell me a little about the genesis of where these came from? I know Rob put them together, but was this modeled after another city?

Bob Finney: In 2017 is where we started and originally there was verbiage about them paying us permit fees, and usage fees. The state came forward a couple of years ago and said no with medical sales you cannot do that, so we took that out of the code.

Frank Seman: I do believe we first based it on what others were doing around the country and then we had to edit the part where we were charging money because of the state's rules. The other thing was the distance between buildings, is one way of controlling it and the other is having it in the Industrial Districts. I wonder if they are giving preference to already established groups, because in the paper today the people that are growing are entitled to one point of sales place when they got the right to raise it and that came along with it, and it didn't have to be contiguous

to their growing operation. I don't think the article in the paper today defined everything in the discussion in Streetsboro, but one of the headlines was about setting up at the old leather shop, in the comments they are going to come in and clean it up and make it look better. I found it unusual that we were talking about keeping it out of the downtown area and Streetsboro went with it being in their downtown. It was interesting and will the group we have get the first option to sell recreational?

Carmen Laudato: The answer is yes, recently the State of Ohio approved a dual licensing option for existing medical marijuana establishments. It would still have to come to Planning Commission, it is not automatic, it is just they can have it at that location. I tried to do research and in the State of Ohio at least we have to be one of the only places talking about this, because in a lot of communities what they did was they put a moratorium on these until the state was going to finalize what they are doing. The strategy in other cities has been that the immediacy was putting a moratorium on it so nothing could move in until things were finalized in Columbus and communities would have a chance to see how they would fit it into their code. My impression from Council is that they did not seem too interested in a moratorium. I don't know if that is because they don't understand that a lot of other communities are doing this.

Frank Seman: They are beginning to see that moratoriums are useful. It is one thing to talk about it and one thing to have a picture in the paper of where it is going to be.

Carmen Laudato: Streetsboro wanted a dispensary but couldn't get one because of limited numbers and Ravenna beat Streetsboro to get that, the only option left was a testing facility, which they put by the Racketball Club. Growing was an option, but the problem was the type of lighting that was going to be required and the only place in the city you could put it was a rural residential type areas. I'm just worried that if we don't put something in place, a moratorium, and give a chance for it to be properly discussed by us and council that the places will just move in, and they have the legal right to. It will then come before Planning Commission and we will not a guideline or anything to work off of. I tried to look at what Michigan did, and they basically put no restrictions on anything.

Bill Barber: If we don't have something approved or have a moratorium they can come in?

Bob Finney: According to Frank Cimino, if it is not an approved or conditionally approved use, they cannot operate that type of business, but if we approve it and we don't know what the state's guidelines are going to be we may not agree. The group that is currently selling medical they are wanting and expecting to get recreational sales also. I spoke with Darcie from Supergood and my concern about parking, she said we will buy the house next to us, tear it down and build a parking lot. You will need permission so don't buy it yet.

Carmen Laudato: The state said no on fees for the medical, can Ravenna then capitalize on fees for the recreational?

Bob Finney: To my knowledge, no because on the ballot they already referenced splitting it four ways, so local will get some quarter portion of what is collected, so state, local, school, and county something like that.

Carmen Laudato: I wonder if that is one of things they are going to change, because they are not respecting what the citizens passed on the ballot, they are already changing a lot of the things, so it makes it difficult.

Bob Finney: There was a news article in January, that the Senate was trying to get the House of Representatives, to come back and discuss two items. One was they immediately wanted to change what was passed on the ballot, the House of Representatives said no, we can discuss in February and two, voters just approved this, so we are not making changes. One of things to cut having 12 plants in a house to 6, and some other things the Senate wanted to make changes.

Frank Seman: I have noticed over the past few years, that with legislation they have put out things, since we are a charter city, and in many ways, we can develop our own rules. They are adding on to those things that they think will be questioned by others and the charter cities or villages cannot use that to change what they wanted done. The state is going to make a lot of money from this, how willing they are to share it, that is something else.

Mark Hairston: I have a concern with both medical and recreational being in the same facility, that is going to be a difficult policing issue for the people running the facility. How are they going to keep the left from the right? That is part of their big sale for where they are right now with the folks on Chestnut, the amount of control they had as far as who gets in there, who comes and who goes. If you are opening both sides, how do you separate?

Frank Seman: That building is not that big, and the security they have is pretty good, but once you are selling it to everyone, I don't know how that will fit. Bob has said what happened in Michigan, they quit buying the medical for the most part, and just bought the recreational. Quite honestly, the people that have managed to get these places are smart, it may have been risky to see how many would come to buy the medical, but their ace is getting the recreational sales when it got approved.

Carmen Laudato: So, should we think about limiting the number in total, can we do that? Like saying there can only be a certain number in the city?

Bob Finney: If there was a facility available in the I-1 zoning (Industrial) and someone wanted to purchase or lease it with the intent of selling recreational marijuana, and they were not changing the site plan and met the parking requirements, then Planning Commission wouldn't even hear it, because it is permitted. If it was conditionally permitted, then they would have to have permission from Planning Commission. When this ordinance was written we knew the location this group wanted to be in, so it was written that they were approved in the I-1, we knew the state was only issuing one permit in this area, so we didn't worry about that. Now if we mirror what we have, without putting limits on, we could have one every 1000 feet. When I spoke with Darcie (Supergood) there are so many things a municipality can do, you can limit how many are in the city, how many permits are allowed, do we want four? One in each ward? Or only two, something like that. Even if we have zoning in place, we could blanket a section if we wanted to keep it on North Chestnut, we could create an overlay district, even though it may span two zoning districts and say this is the location we will permit recreational sales. It doesn't necessarily have to meet our zoning if we created an overlay district, so there are options. I don't expect in the next month for the state to come forward with what they are doing, but maybe they will. Maybe it is best at this point to ask Council to put moratorium on it to buy us a couple more months while we continue to digest this information.

Carmen Laudato: I feel that is the responsible thing to do, that is what all these other communities are doing. Not that they don't want to be in their community eventually, but just until they can figure it out to do it responsibly.

Frank Seman: We want to have a chance to have input, and a moratorium gives you time to plan.

- Bob Finney:** It is hard, without knowing the state's parameters on this, or how loose the state will be on this, for us to even react. We can always make changes in the future, but it would be better to have it up front.
- Bill Barber:** Do you have sense on timing that the state will make a decision?
- Bob Finney:** The news article/video I saw in January, I think they thought July.
- Bill Barber:** That is not that far away, so it goes back to what is the rush for us now, when we could have the moratorium.
- Frank Seman:** We can certainly carry that back to Council.
- Carmen Laudato:** Maybe they would feel better about it as a whole, knowing that was a recommendation from Planning Commission.
- Bob Finney:** What would Planning Commission thought process be having a dispensary Downtown on Main Street, in the Central Business District?
- Carmen Laudato:** I don't have a problem with it because there are a lot of bars in the area and I fundamentally don't see a difference between selling alcohol and selling weed, but that is my opinion, and I know a lot of people don't share that same opinion.
- Tim Contant:** Would there be enough parking downtown to do that?
- Bob Finney:** For instance, currently the old Delciello's restaurant building is available, they have a little bit of parking, they are in the Central Business District and they have some of their own parking. What I want to prevent is Key Bank calling saying they are parking in my spot and it's private, the police won't do anything, how do we prevent additional issues for ourselves?
- Tim Contant:** Personally, I don't think it is a good idea.
- Bill Barber:** I think I need to think more about this and as we take a look at what we want Downtown to be like. Talking about a family friendly city, is that what we are hoping to get to, a long-range strategy of what we want to become, then we want to think a little on what we want to attract Downtown. I would have to think about that, I cannot give you an answer right now.
- Frank Seman:** As I understand it, they cannot smoke in public.

Bob Finney: That is correct, just like alcohol, not in a public place, but alcohol in the DORA is permitted, but you are specifically buying a cup with beer from one of three bars Downtown. I do not anticipate marijuana will be permitted in public spaces. We can certainly report to Council that we discussed it, and we have a consensus that Planning Commission suggests a moratorium.

Mark Hairston: To give some feedback on your original statement, I agree with Carmen and when you look at the bars Downtown none of them have parking spaces that are their own, or parking lots. It would be unfair to stipulate that these dispensaries would have to. I'm definitely in favor of limiting the number of dispensaries, I guess just giving a number, I think four would be more than enough, I don't think I would want more than four in the Downtown area, I would also say to keep them out of the Historic District.

Bill Barber: I would argue the other side of that, why keep it out of the Historic District?

Mark Hairston: My thought came after you said what you would like the appearance of Downtown to look like, when I think of our Historic District, I mostly think of Downtown, I know it is bigger than that, but that is my thought.

Bill Barber: Fair enough, the same thing that I don't have a good sense on, is the number we want to set the limit at, I don't have any data to say four is a good number, or one or twelve. I don't have any information on how we make that decision, and for me without having any data from anywhere or how the state looks at things it is tough to go flying blind.

Mark Hairston: I hope the state stipulates one, it won't be one, but I hope there is a stipulation from the state.

Bob Finney: One per community?

Mark Hairston: Yes, or five, whatever the number is, so the flood gates aren't opened.

Jonathan Jennings: I think we do need to address making the medical and the recreational available at separate sites, even someone that has a dual license, just for policing purposes. I prefer it not to be in the Central Business District, but I think the better answer is to create an overlay, a specific area where we are going to allow these, and that gives even tighter control of where they locate. I was initially thinking it was closer to the bars, but the

and lighting. We need to know that there is a device available so if we have an issue, we can use it to determine the brightness. A few years ago, we were looking to check reflectivity on stop signs, ODOT has a standard, and that device as \$15,000.00 for this temperature laser gun, so to speak.

Carmen Laudato: What if we just said no LED lights?

Bob Finney: That is hard though because it is an industry standard.

Mark Hairston: One that is growing every day, everything is going to LED.

Lydia Jennings: I found some options, there do seem to be some options for measuring the quantity of lights. Obviously, there was the candle method, but also measure per square meter. LED light packages do say the number of lumens per voltage that goes into the LED. There are also covers for the LED lights that are translucent covers, so the light would still shine through but not bright enough to hurt the eyes of people passing by.

Carmen Laudato: So, the translucent covers would reduce the light so it doesn't have that ultra brightness, so we could ask them to put on these covers.

Bill Barber: I think we need to measure what is coming off that entire sign.

Carmen Laudato: My impression is that the strip lighting in the window, they are not part of a permanent fixture, like things you would buy even on Amazon and string them around.

Lydia Jennings: Yes, you can buy them on any shopping website, but some have different voltages, which means they produce different amounts of light.

Tim Contant: I think it is called a foot candle meter.

Mark Hairston: As I was driving in today coming up Chestnut Street, they have a speed sign, and I was going to see what this thing does. The sign was flashing to the car in front of me, so I sped up a little bit and it started flashing a white sign saying slow down, and posted the speed and that flashed, and

it was bright enough that I originally saw it from a good five car links away.

Carmen Laudato: I found a digital illuminance light meter, between \$30 and \$40 dollars.

Bill Barber: What is the limit they can have?

Bob Finney: So, if we used what Westlake had, it would be 10 footcandles equivalent to 10 lumens per square foot. Some one may challenge the device, that it is not accurate, it hasn't been calibrated, but it is a good start for sure.

Carmen Laudato: I'm looking for another option, like better quality. This one is \$200.00, but either way they look to be affordable.

Bob Finney: Do we want to continue this discussion next month and maybe draft an addition to our sign ordinance specifically?

Carmen Laudato: Yes, I could get some insight from Mars Electric, what kind of parameters do these devices have to gauge this.

Bill Barber: It must be good enough to stand up to scrutiny.

Frank Seman: This was more of a work session tonight; I think we have had some good dialog and I know Council will be interested and we will tell them that a moratorium is something to investigate, and we don't have a lot of time. The lighting we will continue to look into equipment that will measure those sorts of things.

Carmen Laudato: I will go to Mars Electric, and would it be okay if I could find someone from there to come here and talk about it?

Bob Finney: Yes, and even if they could point us toward a video, we could set up and all watch it.

Frank Seman entertained a motion to adjourn the meeting; Bill Barber made a motion and Carmen Laudato seconded.

MEETING ADJOURNED

Next meeting: April 30, 2024 @ 6:00PM

Respectfully Submitted,

Tiffany Holloway, Planning Commission Secretary