

**PLANNING COMMISSION MEETING  
TUESDAY, August 13, 2024 6:00 P.M.  
Council Chambers  
40 W MAIN ST, NEWARK, OH 43055**

**AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES FOR THE JULY 9, 2024 PLANNING COMMISSION MEETING**

**PUBLIC HEARING**

- 3. ZONING CHANGE FOR 203 N. Gay St., Newark, Ohio**  
Application Number : PC-24-27  
Owner: Association for Retarded Citizens of Licking County  
Applicant: Regan Eveland  
Current Zoning: Single-Family Residence  
Proposed Zoning: TFR Two-Family Residence

**OLD BUSINESS**

- 4. RECOMMENDATION FOR Ordinance No. 24-18** AN ORDINANCE AMENDING PORTIONS OF THE CURRENT ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO ADOPTED MAY 5, 2009 BY ORDINANCE 08-33A AND SEPTEMBER 5, 2023, BY ORDINANCE 23-22A AND IMPLEMENTING ADDITIONAL ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO.

**NEW BUSINESS**

There is none this meeting.

**MISCELLANEOUS – ADMINISTRATIVE APPROVALS**

There are none this meeting.

**THE NEXT SCHEDULED PLANNING COMMISSION MEETING WILL BE HELD ON TUESDAY, SEPTEMBER 10, 2024, 6:00 P.M. THE DEADLINE FOR AGENDA ITEM SUBMITTAL IS MONDAY, AUGUST 19, 2024 4:30 P.M.**

ORDINANCE NO. 24-24

BY: \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 203 NORTH GAY STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID# 054-193776-00.000, FROM THAT OF SINGLE-FAMILY RESIDENCE RH – HIGH DENSITY DISTRICT TO TFR – TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO.

WHEREAS, an application for change of zoning classification has been filed with the Office of the Engineer and with the Clerk of this Council; and

WHEREAS, pursuant to Article 4.12 of the Charter of the City of Newark, Ohio, this ordinance shall be referred to the Planning Commission immediately after its first reading; and

WHEREAS, the Planning Commission shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing; and

WHEREAS, upon the return of the ordinance to Council by the Planning Commission, Council shall hold a public hearing upon such application and the Clerk of Council shall cause notice of such hearing to be publicized one time at least seven (7) days prior to the date of such public hearing, which hearing shall constitute a second reading of this ordinance and shall take such action as is appropriate pursuant to Article 4.12 of the Charter of the City of Newark, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO, THAT:

**Section 1:** The zoning map as established by Ordinance 08-33 (A) is hereby revised by changing the zoning classification for the following described property from SINGLE-FAMILY RESIDENCE RH – HIGH DENSITY DISTRICT TO TFR – TWO-FAMILY RESIDENCE DISTRICT, Zoning Code of the City of Newark.

**SEE EXHIBIT “A” FOR LEGAL DESCRIPTION**

**Section 2:** Pursuant to Article 4.12(C) of the Charter of the City of Newark, Ohio, a vote of at least six (6) members shall be necessary to adopt or defeat the ordinance in the event the Planning Commission has recommended approval or has made no recommendation. An affirmative vote of at least seven (7) Council members shall be necessary to adopt a zoning ordinance that the Planning Commission has recommended against approval.

**Section 3:** The Newark Planning Commission is hereby authorized and directed to make the change described herein on the aforementioned zoning map.

**Section 4:** This ordinance shall become effective at the earliest time permitted by Section 4.07 of the Charter of the City of Newark, Ohio.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
Clerk of Council

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

FORM APPROVED:   
Director of Law

DESCRIPTION APPROVED:   
Brian Morehead, Engineer

Prepared by the Office of the Director of Law





Planning Commission  
 c/o Engineering Dept.  
 40 West Main St, 2<sup>nd</sup> Floor  
 Newark, Ohio 43055  
 (740) 670-7727  
 (740)349-5911 Fax

# City of Newark Planning Commission Zoning District Change Application

Zoning File # \_\_\_\_\_  
 PC Application # 75-24-27  
 Date Received: 6/16/24  
 Received by: Z.C.C.  
 Amount Due: \$300.00 ✓  
 Paid By: (circle one)  
 Check # 28195 Cash  
 Receipt # \_\_\_\_\_

CITY OF NEWARK, OHIO | PLANNING COMMISSION

*PAID - 6/16/24*

Rev 8/13

<input checked="" type="checkbox"/> District Change		<input type="checkbox"/> District Establishment (Newly Annexed)	
<b>Owner</b>			
Property Owner: <u>Association for Retarded Citizens of Licking County</u>		Telephone: <u>740-344-2995</u>	
Address: <u>667 Hopewell Drive</u>		E-mail: <u>reganeveland@centerds.org</u>	
City: <u>Heath</u>	State: <u>Ohio</u>	Zip: <u>43056</u>	Fax: <u>740-344-8335</u>
<i>I would prefer to have agendas mailed rather than e-mailed</i> <input type="checkbox"/>			
<b>Applicant/Representative</b>			
Representative: <u>Regan Evland</u>		Same as above <input checked="" type="checkbox"/>	
Address: <u>667 Hopewell Drive</u>		E-mail: <u>reganeveland@centerds.org</u>	
City: <u>Heath</u>	State: <u>Ohio</u>	Zip: <u>43056</u>	Fax: <u>740-344-8335</u>
<i>I would prefer to have agendas mailed rather than e-mailed</i> <input type="checkbox"/>			
<b>Property Location</b>			
Street Address: <u>203 N. Gay Street, Newark, Ohio 43055</u>			
Parcel Tax ID #: <u>054-193776-00.000</u>		Number of Acres: <u>0.1600</u>	
Lot Number: (if applicable) <u>5139</u>		Property Platted? Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>District Classification</b> <span style="float: right;">(Zoning Code 08-33, see <a href="http://www.newarkohio.net">www.newarkohio.net</a>)</span>			
<b>Present Zoning District:</b>		<b>Proposed Zoning District:</b>	
<input type="checkbox"/> AD Agricultural <input type="checkbox"/> CD Conservation <input type="checkbox"/> CSI Church School Institutional <input type="checkbox"/> DC Downtown <input type="checkbox"/> GB General Business <input type="checkbox"/> GC General Commercial <input type="checkbox"/> GI General Industrial <input type="checkbox"/> GO General Office <input type="checkbox"/> HB High Intensity Business <input type="checkbox"/> LB Limited Intensity Business <input type="checkbox"/> LC Limited Commercial <input type="checkbox"/> LI Limited Industrial <input type="checkbox"/> LO Limited Office <input type="checkbox"/> MB Medium Intensity Business <input type="checkbox"/> MFC Multi-Family Condo <input type="checkbox"/> MFH Multi-Family High Rise <input type="checkbox"/> MFR Multi-Family Residence <input type="checkbox"/> Overlay Historic <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> RMH Single-Family Residence Manufactured Home <input checked="" type="checkbox"/> Single-Family Residence <b>(Circle one)</b> RS-Suburban RL-Low Density RM-Medium Density RH-High Density <input type="checkbox"/> RZL Single-Family Residence Zero Lot Line <input type="checkbox"/> SFC Single-Family Condo <input type="checkbox"/> TFR Two-Family Residence		<input type="checkbox"/> AD Agricultural <input type="checkbox"/> CD Conservation <input type="checkbox"/> CSI Church School Institutional <input type="checkbox"/> DC Downtown <input type="checkbox"/> GB General Business <input type="checkbox"/> GC General Commercial <input type="checkbox"/> GI General Industrial <input type="checkbox"/> GO General Office <input type="checkbox"/> HB High Intensity Business <input type="checkbox"/> LB Limited Intensity Business <input type="checkbox"/> LC Limited Commercial <input type="checkbox"/> LI Limited Industrial <input type="checkbox"/> LO Limited Office <input type="checkbox"/> MB Medium Intensity Business <input type="checkbox"/> MFC Multi-Family Condo <input type="checkbox"/> MFH Multi-Family High Rise <input checked="" type="checkbox"/> MFR Multi-Family Residence <input type="checkbox"/> Overlay Historic <input type="checkbox"/> Planned Unit Development <input type="checkbox"/> RMH Single-Family Residence Manufactured Home <input type="checkbox"/> Single-Family Residence <b>(Circle one)</b> RS-Suburban RL-Low Density RM-Medium Density RH-High Density <input type="checkbox"/> RZL Single-Family Residence Zero Lot Line <input type="checkbox"/> SFC Single-Family Condo <input checked="" type="checkbox"/> TFR Two-Family Residence	

*BOB DEAR  
 6/16/24 call with  
 owner*



PC24-27

Property Use

Present Use: Single family residence

Proposed Use: Multi-family residence - Two efficiency/one-bedroom residential units

Additional Comments

Reason For Request: Plan to demolish current single family home due to disrepair and construct multi-family residence to accommodate two efficiency/one-bedroom residential units

Required Documentation and Process Overview

- Complete Application Form - must include the notarized signature of the property owner. If a notarized signature is not present, attach an Authorization Letter from the property owner, giving the Representative permission to act on his/her behalf.
Obtain a Tax Map and Auditor's Parcel Numbers of the parcels to be re-zoned
Obtain a Legal Description of parcels to be re-zoned. (typically a survey description or valid deed description)
Obtain a Parcel Drawing or Map showing the location of all buildings on the parcels
Call the Newark City Engineering Department to schedule an Engineering Review
Submit Application and required documentation
Attend the Planning Commission Meetings and Council Meetings

Owner Acknowledgement

I hereby certify that the information provided in this application is true and factual to the best of my knowledge.

Property Owner Signature: [Signature] Date: 6-5-24

Sworn and subscribed before me this 5th day of June, 2024

My Commission Expires: April 5, 2027 [Signature]



MISTY GRIGSBY Notary Public State of Ohio My Comm. Expires April 5, 2027

Engineering/Zoning Authorization - Office Use Only

Approved [checked] Denied [ ] Approved with Conditions [ ]

Engineering Signature: [Signature] Date: 6/10/2024

Comments/Conditions: Documentation approved for zoning purposes

Planning Commission Recommendation to Council - Office Use Only

Approved [ ] Denied [ ] Approved with Conditions [ ]

Planning Director Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Conditions: \_\_\_\_\_

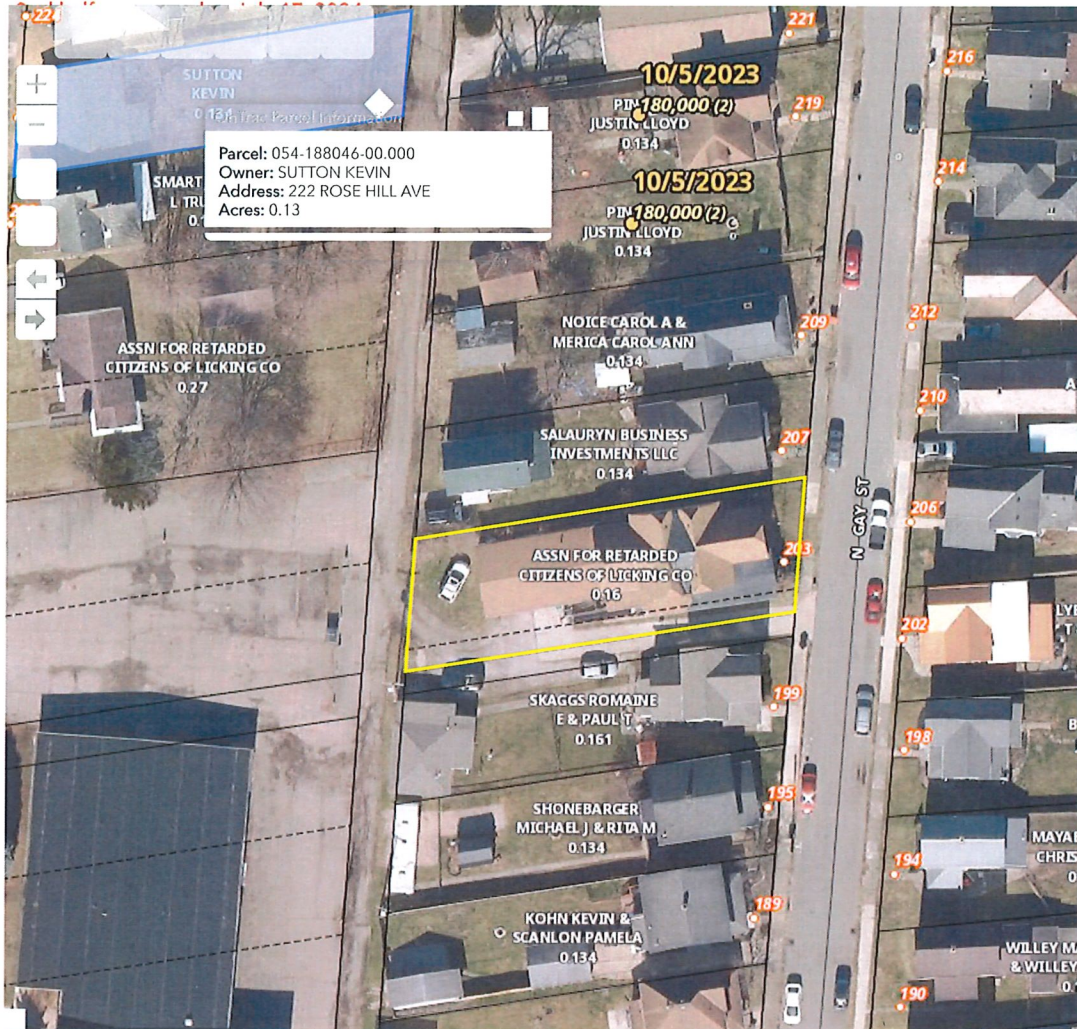
After Planning Commission Recommendation: Contact the Clerk of Council regarding Council Public Hearing and Final Vote dates. Clerk of Council's Office 40 W Main St (2nd Floor-Mayor's Office) (740) 670-7516.



Map

- BOR
- Card
- CAUV
- Documents
- Land
- Map
- Parcel
- Pictometry
- Sketch
- Street View
- Structures
- Taxes
- Transfers
- Values

Help  
Login



Parcel: 054-188046-00.000  
Owner: SUTTON KEVIN  
Address: 222 ROSE HILL AVE  
Acres: 0.13

FIND YOUR PARCEL

Owner



054-193776-00.000  
ASSN FOR RETARDED  
CITIZENS OF LICKING CO  
203 N GAY ST  
NEWARK, OH 43055

Acres: 0.16  
LOT 5139 WILLIAM M  
JONES HEIRS 1ST ADD +  
VAC ALY

Land: \$20,000  
Improv: \$105,600  
Total: \$125,600

Transfer Date:  
Amount:  
Conveyance:  
Valid Sale:

Homestead: No  
Owner Occ: No

Foreclosure: No  
Certified Delq: No  
On Contract: No

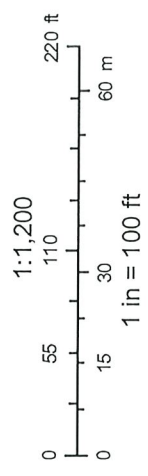


# Proposed Zoning Change - 203 N. Gay St.



June 10, 2024

Planned Unit Developments





TRANSFERRED 171

Date May 19 1983  
George D. Buchanan  
Licking County Auditor

72921

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That James E. McNulty and Mary McNulty, husband and wife the grantors, who claim title by or through instrument recorded in Volume 791, page 358, County Recorder's Office, for the consideration of ONE DOLLAR and other good and valuable considerations (\$1.00), received to their full satisfaction of Association for Retarded Citizens of Licking County the grantee, do

GIVE, GRANT, BARGAIN, SELL AND CONVEY unto the said grantee, Association for Retarded Citizens of Licking County his/her heirs and assigns, the following described premises, to-wit:

Situated in the State of Ohio, County of Licking, City of Newark and described as follows:

Being Lot Number Five Thousand One Hundred Thirty-nine (5139) in the First Addition of the William N. Jones Heirs, as designated and delineated in Plat Book Volume J, page 251 of the Licking County Plat Records, together with the grantor's interest in and to the north half of 16 foot vacated alley as vacated by Ordinance No. 66-31.

SUBJECT to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

Being the same premises conveyed to the grantors herein by deed recorded in Deed Book Volume 791, page 358 of the Licking County Records.

Parcel No.: 54-193776-00.000 DWG 120-6

TO HAVE AND TO HOLD the above granted and bargained premises, with the appurtenances thereof, unto the said grantee, his/her heirs and assigns forever.

And James E. McNulty and Mary McNulty the said grantors, do for their heirs, executors and administrators, covenant with the said grantee, his/her heirs and assigns, that at and until the ensembling of these presents, they is or are well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all incumbrances whatsoever except taxes and assessments which shall be prorated to the date of closing and those accruing thereafter, and that they will WARRANT AND DEFEND said premises, with the appurtenances thereunto belonging, to the said grantee, his/her heirs and assigns, against all lawful claims and demands whatsoever except as aforesaid.

SEC. 319.202 COMPLIED WITH  
GEORGE D. BUCHANAN, AUDITOR  
BY DM 73.80

DESCRIPTION APPROVED  
TIM LOLLO  
LICKING COUNTY ENGINEER  
TAX MAP DRAWING NO. 120-6 APPROVED BY: DLJ

DESCRIPTION APPROVED FOR JAMES McNulty  
APPROVED  
Div. of Engineering  
City of Newark, Ohio



And for valuable consideration James E. McNulty and Mary McNulty do hereby remise, release and forever quit-claim unto the said grantee, his/her heirs and assigns, all their right and expectancy of DOWER in the above described premises.

IN WITNESS WHEREOF: James E. McNulty and Mary McNulty have hereunto set their hands, this May 14th, 1993.

*Rose M. Bishop*  
\_\_\_\_\_  
Witness Rose M. Bishop

*James E. McNulty*  
\_\_\_\_\_  
James E. McNulty

*Ray D. Kent*  
\_\_\_\_\_  
Witness Ray D. Kent

*Mary McNulty*  
\_\_\_\_\_  
Mary McNulty

STATE OF OHIO:

COUNTY OF LICKING: Before me, a Notary Public, in and for said County and State, personally appeared the above named James E. McNulty and Mary McNulty who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Newark, Ohio, this 14th day of May, 1993.



*Ray D. Kent*  
\_\_\_\_\_  
RAY D. KENT  
Notary Public, State of Ohio  
My commission expires 6-10-94

Prepared by:  
Arnold & Christiansen Co.  
172 Hudson Avenue  
Newark, Ohio 43055

RETURN TO 26-11711  
MIDLAND TITLE

RECEIVED FOR RECORD  
AND RECORDED  
In Official Record  
Vol. 531 Page 171  
Licking County, Ohio  
Recorder Fee \$10.00  
MAY 14 1993  
Ray D. Kent

X 22921



**DAVID RHODES**  
NEWARK CITY  
DIRECTOR OF PUBLIC  
SERVICE

City Hall  
40 West Main Street  
Newark, Ohio 43055-5531  
www.newarkohio.net

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(740) 670-7703  
drhodes@newarkohio.net

**NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a Public Hearing will be held by the Newark City Planning Commission on August 13, 2024 at 6:00 p.m. in the Council Chambers at 40 West Main Street, Newark, Ohio to consider **ORDINANCE NO. 24-24.**

**24-24** AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL PROPERTY, GENERALLY DESCRIBED AS 203 NORTH GAY STREET, CITY OF NEWARK, LICKING COUNTY, OHIO, PARCEL TAX ID #054-193776-00.000 FROM THAT OF SINGLE-FAMILY RESIDENCE - RH - HIGH DENSITY DISTRICT TO TFR - TWO-FAMILY RESIDENCE DISTRICT, ZONING CODE OF THE CITY OF NEWARK, OHIO

This Ordinance will ESTABLISH NEW ZONING REQUIREMENTS for this parcel within the City of Newark.

All interested persons will be heard.

David Rhodes, Planning Director  
Newark City Planning Commission

To Be Advertised: August 5, 2024



ORDINANCE NO: 24-18

BY \_\_\_\_\_

**AN ORDINANCE AMENDING PORTIONS OF THE CURRENT ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO ADOPTED MAY 5, 2009 BY ORDINANCE 08-33A AND SEPTEMBER 5, 2023, BY ORDINANCE 23-22A AND IMPLEMENTING ADDITIONAL ARTICLES OF THE ZONING CODE OF THE CITY OF NEWARK, OHIO.**

**WHEREAS**, the City of Newark by and through action of Newark City Council adopted a new Zoning Code on May 5, 2009 with the passage of Ordinance 08-33A; and,

**WHEREAS**, the City of Newark by and through action of Newark City Council amended portions of the Zoning Code on September 5, 2023, with the passage of Ordinance 23-22A; and,

**WHEREAS**, changed circumstances in the City of Newark have created a need to revise the existing Zoning Code to address issues specific to future development and business regulations for the benefit of all and good zoning practice; and,

**WHEREAS**, this matter was considered by the Economic Development Committee of Council at a regularly scheduled meeting thereof and was passed on to the Planning Commission for public hearing and recommendation and then to full Council pursuant to Charter Article 4.12.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING AND STATE OF OHIO THAT THE ZONING CODE OF THE CITY OF NEWARK, OHIO IS HEREBY AMENDED TO READ AS SET FORTH HEREIN**

**SECTION 1:** *Article 46: MB Medium Intensity Business District* of the Zoning Code of the City of Newark, Ohio is hereby amended to include the following:

ARTICLE 46

MB MEDIUM INTENSITY BUSINESS DISTRICT

46.4 CONDITIONAL USES

2. **ADULT USE DISPENSARIES AS DEFINED AT SECTION 3780.01(A)(5) OF THE OHIO REVISED CODE PROVIDED THAT (A) SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OHIO REVISED CODE, THE OHIO ADMINISTRATIVE CODE, AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO AND (B) SUCH FACILITY IS NOT LOCATED WITHIN 1,000 FEET OF A**

**PARCEL OF REAL ESTATE HAVING SITUATED ON IT A SCHOOL, CHURCH, PUBLIC LIBRARY, PUBLIC PLAYGROUND, PUBLIC PARK OR COMMUNITY ADDICTION SERVICES PROVIDER AS DEFINED UNDER R.C. § 5119.01.**

**A VARIANCE FROM THE 1,000 FEET DISTANCE RESTRICTION TO REDUCE SAID RESTRICTION BY NO MORE THAN 250 FEET DISTANCE MAY BE ISSUED BY THE BOARD OF ZONING APPEALS WITH A CONDITIONAL USE PERMIT.**

**SECTION 2:** *Article 48: HB High Intensity Business District* of the Zoning Code of the City of Newark, Ohio is hereby amended to include the following:

ARTICLE 48  
HB HIGH INTENSITY BUSINESS DISTRICT

48.4 CONDITIONAL USES

- 3. Medical marijuana AND ADULT USE dispensaries pursuant to the authority and limitations set forth at Article 46: MB Medium Intensity Business District, Section 46.4.**

**SECTION 3:** *Article 50: GB General Business District* of the Zoning Code of the City of Newark, Ohio is hereby amended to include the following:

ARTICLE 50  
GB GENERAL BUSINESS DISTRICT

50.4 CONDITIONAL USES

- 3. Medical marijuana AND ADULT USE dispensaries pursuant to the authority and limitations set forth at Article 46: MB Medium Intensity Business District, Section 46.4**

**SECTION 4:** *Article 54: LC Limited Commercial District* of the Zoning Code of the City of Newark, Ohio is hereby amended to include the following:

ARTICLE 54  
LC LIMITED COMMERCIAL DISTRICT

54.4 CONDITIONAL USES

- 3. Medical marijuana AND ADULT USE dispensaries pursuant to the authority and limitations set forth at Article 46: MB Medium Intensity Business District, Section 46.4**



**SECTION 5:** *Article 56: GC General Commercial District* of the Zoning Code of the City of Newark, Ohio is hereby amended to include the following:

ARTICLE 56  
GENERAL COMMERCIAL DISTRICT

56.4 CONDITIONAL USES

- 3. Medical marijuana AND ADULT USE dispensaries pursuant to the authority and limitations set forth at Article 46: MB Medium Intensity Business District, Section 46.4**

**SECTION 6:** *Article 60: DC Downtown District* of the Zoning Code of the City of Newark, Ohio, is hereby amended to include the following:

ARTICLE 60  
DC DOWNTOWN DISTRICT

60.3 PROHIBITED USES

- 5. Medical marijuana dispensaries as defined at OAC 3796:1-1-01(13) AND ADULT USE DISPENSARIES AS DEFINED AT ORC 3780.01(A)(5)**
- 6. Medical marijuana cultivators as defined at OAC 3796:1-1-01(9) AND ADULT USE CULTIVATORS AS DEFINED AT ORC 3780.01(A)(4) AND 3780.01(A)(19)-(21).**
- 7. Medical marijuana processors as defined at OAC 3796:1-1-01(39) AND ADULT USE PROCESSORS AS DEFINED AT ORC 3780.01(A)(7).**

**SECTION 7:** *Article 64: Limited Industrial District* of the Zoning Code of the City of Newark, Ohio, is hereby amended to include the following:

ARTICLE 64  
LI LIMITED INDUSTRIAL DISTRICT

64.2 PERMITTED USES

- ~~26. Medical marijuana cultivators as defined at OAC 3796:1-1-01(9) provided that such facility is in full and complete compliance with the requirements and restrictions of all applicable sections of the OAC and Ohio Revised Code as well as all applicable licensing and reporting requirements of the Codified Ordinances of the City of Newark, Ohio.~~
- ~~27. Medical marijuana processors as defined at OAC 3796:1-1-01(39) provided that such facility is in full and complete compliance with the requirements and restrictions of all applicable sections of the OAC and Ohio Revised Code as well as all applicable licensing and reporting requirements of the Codified Ordinances of the City of Newark, Ohio.~~

64.4 CONDITIONAL USES

5. **MEDICAL MARIJUANA DISPENSARIES AS DEFINED AT SECTION 3796:1-1-01 (13) OF THE OHIO ADMINISTRATIVE CODE (OAC) PROVIDED THAT (a) SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO AND (b) SUCH FACILITY IS NOT LOCATED WITHIN 1000 FEET OF A PARCEL OF REAL ESTATE HAVING SITUATED ON IT A SCHOOL, CHURCH, PUBLIC LIBRARY, PUBLIC PLAYGROUND, PUBLIC PARK OR COMMUNITY ADDICTION SERVICES PROVIDER AS DEFINED UNDER SECTION 5119.01 OF THE REVISED CODE.**

**A VARIANCE FROM THE 1000 FEET DISTANCE RESTRICTION TO REDUCE SAID RESTRICTION BY NO MORE THAN 250 FEET DISTANCE MAY BE ISSUED BY THE BOARD OF ZONING APPEALS WITH A CONDITIONAL USE PERMIT.**

6. **MEDICAL MARIJUANA CULTIVATORS AS DEFINED AT OAC 3796:1-1-01(9) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**
7. **MEDICAL MARIJUANA PROCESSORS AS DEFINED AT OAC 3796:1-1-01(39) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**
8. **ADULT USE DISPENSARIES AS DEFINED AT SECTION 3780.01(A)(5) OF THE OHIO REVISED CODE PROVIDED THAT (A) SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OHIO REVISED CODE, THE OHIO ADMINISTRATIVE CODE, AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO AND (B) SUCH FACILITY IS NOT LOCATED WITHIN 1,000 FEET OF A PARCEL OF REAL ESTATE HAVING SITUATED ON IT A SCHOOL, CHURCH, PUBLIC LIBRARY, PUBLIC PLAYGROUND, PUBLIC PARK OR COMMUNITY ADDICTION SERVICES PROVIDER AS DEFINED UNDER R.C. § 5119.01.**

**A VARIANCE FROM THE 1,000 FEET DISTANCE RESTRICTION TO REDUCE SAID RESTRICTION BY NO MORE THAN 250 FEET DISTANCE MAY BE ISSUED BY THE BOARD OF ZONING APPEALS WITH A CONDITIONAL USE PERMIT.**

9. **ADULT USE CULTIVATORS AS DEFINED AT ORC 3780.01(A)(4) AND 3780.01(A)(19)-(21) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**
10. **ADULT USE PROCESSORS AS DEFINED AT ORC 3780.01(A)(7) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE**



**REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND THE OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**

#### 64.6 DISTRICT STANDARDS

2. The combined square footage of the footprint of all buildings and structures on a given lot shall not be more than ~~twenty-five~~ **THIRTY-FIVE** percent of the lot area exclusive of any lot area in the floodway.

**SECTION 8:** *Article 66: GI General Industrial District* of the Zoning Code of the City of Newark, Ohio, is hereby amended to include the following:

#### ARTICLE 66 GI GENERAL INDUSTRIAL DISTRICT

#### 66.4 CONDITIONAL USES

17. **MEDICAL MARIJUANA DISPENSARIES AS DEFINED AT SECTION 3796:1-1-01 (13) OF THE OHIO ADMINISTRATIVE CODE (OAC) PROVIDED THAT (a) SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO AND (b) SUCH FACILITY IS NOT LOCATED WITHIN 1000 FEET OF A PARCEL OF REAL ESTATE HAVING SITUATED ON IT A SCHOOL, CHURCH, PUBLIC LIBRARY, PUBLIC PLAYGROUND, PUBLIC PARK OR COMMUNITY ADDICTION SERVICES PROVIDER AS DEFINED UNDER SECTION 5119.01 OF THE REVISED CODE.**

**A VARIANCE FROM THE 1000 FEET DISTANCE RESTRICTION TO REDUCE SAID RESTRICTION BY NO MORE THAN 250 FEET DISTANCE MAY BE ISSUED BY THE BOARD OF ZONING APPEALS WITH A CONDITIONAL USE PERMIT.**

18. **MEDICAL MARIJUANA CULTIVATORS AS DEFINED AT OAC 3796:1-1-01(9) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**
19. **MEDICAL MARIJUANA PROCESSORS AS DEFINED AT OAC 3796:1-1-01(39) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**

**20. ADULT USE DISPENSARIES AS DEFINED AT SECTION 3780.01(A)(5) OF THE OHIO REVISED CODE PROVIDED THAT (A) SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OHIO REVISED CODE, THE OHIO ADMINISTRATIVE CODE, AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO AND (B) SUCH FACILITY IS NOT LOCATED WITHIN 1,000 FEET OF A PARCEL OF REAL ESTATE HAVING SITUATED ON IT A SCHOOL, CHURCH, PUBLIC LIBRARY, PUBLIC PLAYGROUND, PUBLIC PARK OR COMMUNITY ADDICTION SERVICES PROVIDER AS DEFINED UNDER R.C. § 5119.01.**

**A VARIANCE FROM THE 1,000 FEET DISTANCE RESTRICTION TO REDUCE SAID RESTRICTION BY NO MORE THAN 250 FEET DISTANCE MAY BE ISSUED BY THE BOARD OF ZONING APPEALS WITH A CONDITIONAL USE PERMIT.**

**21. ADULT USE CULTIVATORS AS DEFINED AT ORC 3780.01(A)(4) AND 3780.01(A)(19)-(21) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**

**22. ADULT USE PROCESSORS AS DEFINED AT ORC 3780.01(A)(7) PROVIDED THAT SUCH FACILITY IS IN FULL AND COMPLETE COMPLIANCE WITH THE REQUIREMENTS AND RESTRICTIONS OF ALL APPLICABLE SECTIONS OF THE OAC AND THE OHIO REVISED CODE AS WELL AS ALL APPLICABLE LICENSING AND REPORTING REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO.**

#### 66.6 DISTRICT STANDARDS

2. The combined square footage of the footprint of all buildings and structures on a given lot shall not be more than ~~twenty-five~~ **THIRTY-FIVE** percent of the lot area exclusive of any lot area in the floodway.

**SECTION 9:** The Tables of Content of the Zoning Code of the City of Newark, Ohio, are hereby amended to reflect the modifications made by this Ordinance.

**SECTION 10:** All other sections of the Zoning Code of the City of Newark, Ohio, not specifically addressed within this Ordinance shall remain in full force and effect as written.

**SECTION 11:** This Ordinance shall take effect upon full compliance with the procedures set forth at Article 4.12 and then on the earliest date allowed by Article 4.07 of the Charter of the City of Newark and remain in full force and effect thereafter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

DATE FILED WITH MAYOR: \_\_\_\_\_

DATE APPROVED BY MAYOR: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

APPROVED AS TO FORM: \_\_\_\_\_  
TRICIA M. MOORE  
DIRECTOR OF LAW

Prepared by the Office of the Director of Law