

AN ORDINANCE AMENDING IN PART O-35-96, AND IN PARTICULAR, SECTION 1117.10 OF THE CITY OF CORTLAND CODIFIED ORDINANCE TO IDENTIFY MEDICAL MARIJUANA CULTIVATORS LEVEL I AND/OR LEVEL II AND PROCESSORS AS USES PERMITTED UPON REVIEW IN THE CITY'S INDUSTRIAL DISTRICT

WHEREAS, on January 9, 2018, the City of Cortland Planning, Zoning & Building Commission recommended to Council that it is in the best interest of the City of Cortland to amend Section 1117.10 to identify Medical Marijuana Cultivators Level I and/or Level II and Processors as Uses Permitted Upon Review in the Industrial District; and,

WHEREAS, pursuant to Cortland City Charter Section 6.05, Council held a public hearing on Tuesday, February 20, 2018 with a minimum twenty (20) day notice in a newspaper of general circulation; and,

WHEREAS, the authority to amend portions of Planning & Zoning Code of the City of Cortland Codified Ordinances, and in particular, Section 1117.10 of O-35-96 rests with the Cortland City Council.

NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CORTLAND, OHIO:

Section 1. It is in the best interest of the City of Cortland to amend in part Ordinance O-35-96 to change Part Eleven, Planning and Zoning Code of the City of Cortland Codified Ordinances, Section 1117.10 (b).

Section 2. The City shall hereafter identify Medical Marijuana Cultivators Level I and/or Level II and Processors as Uses Permitted Upon Review in the Industrial District.

Section 3. Section 1117.10 (b) is amended and will hereinafter read as follows with the highlights for this Ordinance only (emphasis added):

1117.10 I-1, INDUSTRIAL DISTRICT.

(a) Purpose. The Industrial District is established as a district for manufacturing plants, assembly plants, and warehouses. The regulations are intended to protect neighboring land uses from potentially harmful noise, odor, smoke, dust, glare, or other objectionable effects.

(b) Permitted Uses Upon Review.

- (1) Apparel manufacturing.
- (2) Automobile impound lot.
- (3) Automobile and truck repair and rebuilding shop.
- (4) Building contractor and related activities.
- (5) Building materials, sales, and storage.
- (6) Chemicals and allied products manufacturing.
- (7) Electrical components manufacturing.
- (8) Fabricated metal products manufacturing.
- (9) Farm implement and machinery sales and storage.
- (10) Feed and seed sales and storage.
- (11) Food processing.
- (12) Furniture and fixtures - manufacturing.
- (13) Household and industrial cleaning products manufacturing.
- (14) Laundry and cleaning plant.
- (15) Lumber yard.
- (16) Lumber and wood products manufacturing.
- (17) Marijuana Cultivator Level I
- (18) Marijuana Cultivator Level II
- (19) Marijuana Processor
- (20) Paper and allied products manufacturing.
- (21) Petroleum refining and related industries.
- (22) Plastic products manufacturing.
- (23) Primary metal industries.
- (24) Printing and allied industries.

(25) Salvage yard for automobile, junk, building materials, provided that all operations shall be screened by permanent walls, fences, or evergreen planting subject to the provisions of Section 1129.03.

(26) Signs (subject to the provisions of the City sign ordinance.).

(27) Stone, clay, and glass products manufacturing.

(28) Temporary building which is incidental to the construction of buildings permitted in the district, and which shall be removed when work is completed.

(29) Textile mill products, manufacturing.

(30) Tire recapping and retreading plant.

(31) Truck terminal.

(32) Wholesaling and warehousing.

(33) Other uses which are considered to be compatible with the aforementioned uses which also abide by Federal and State law.

(c) Height Limitation.

(1) No building or structure shall exceed 75 feet in height except as provided in Section 1125.07.

(2) No building or structure on a lot in the Industrial District which is adjacent to a residential district shall exceed the height of 35 feet unless there is 1 additional foot of setback for each additional foot of height.

(d) Dimensional Requirements.

(1) Front setback. See Attachment C for details.

(2) Side setback. See Attachment C for details.

(3) Rear setback. See Attachment C for details.

(e) Buffers and Green Areas. See attachment C and Section 1125.16 for details on buffer and green areas.

(f) Off-Street Parking. Off-street parking shall be provided in accordance with the provisions set forth in Section 1125.09.

(g) Off-Street Loading. Off-street loading shall be provided in accordance with the provisions set forth in Section 1125.10.

Section 4. All other provisions contained in O-35-96 not addressed herein or O-06-18 shall remain in full force and effect.

Section 5. This Ordinance shall take effect and be in full force as early as allowed by law.

PASSED IN COUNCIL THIS 2ND DAY OF APRIL, 2018.

ATTEST: _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL

FILED W/ MAYOR _____
DATE

MAYOR

DATE APPROVED _____

ROLL CALL

FIRST READING

Edwards, aye
Fleischer, aye
Keller, aye
Moore, aye
Petrosky, aye
Piros, aye
Rowley, aye

SECOND READING

Edwards, aye
Fleischer, aye
Keller, aye
Moore, aye
Petrosky, aye
Piros, aye
Rowley, aye

THIRD READING

Edwards, aye
Fleischer, aye
Keller, aye
Moore, aye
Petrosky, aye
Piros, aye
Rowley, aye

OFFICIAL SEAL