

BOARD OF TRUSTEES
Peter J. Kambelos, MD
Nicholas J. Kelly
Allen M. Freeman

Fiscal Officer
Debbie S. Schwey

Interim Administrator
Edward F. McCarthy



950 Locust Corner Road
Cincinnati, Ohio 45245

(513) 752.6262
Fax # (513) 752.8981
www.piercetownship.org

PIERCE TOWNSHIP ZONING COMMISSION
Regular Meeting
6:00pm
Tuesday December 3, 2024
AGENDA

I. Call to Order: Donna Cann, Chair of Zoning Commission

1. Roll Call: Mr. Schuler _____ Mr. Stitt _____ Ms. Benzing _____ Ms. Cann _____ Mr. Bergman _____ Ms. Cannon _____ Ms. Baker _____
2. Pledge of Allegiance
3. Approval of Meeting Minutes: November 12, 2024

II. New Business:

1. Approval of the Meeting Dates for 2025.
2. Nomination and selection of Chair and Vice-Chair.
3. Cannabis Text Amendment Workshop.

III. Motion to adjourn:

IV. Meeting adjourned at:

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Zoning Commission
Regular Meeting
Tuesday November 12th, 2024
6:00 p.m.

The Zoning Commission of Pierce Township, Clermont County, Ohio met in a Regular Meeting at 6:00 p.m., on Tuesday, November 12th, 2024, at the Pierce Township Administration Building, 950 Locust Corner Road.

CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE

Chair Donna Cann called the meeting to order. Board members present: Mr. Dick Schuler, Mr. Jeff Stitt, Ms. Bev Benzing, Ms. Donna Cann, Mr. Steven Bergman, Ms. Kristin Cannon, and Ms. Sarah Baker. Personnel who were also present: Mr. Eddie McCarthy, Director of Community Development and Planning, and Ms. Mary Berta-Coggeshall, Planner and Zoning Inspector.

Chair Donna Cann led the meeting in the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Stitt made a motion to approve the July 2, 2024 meeting minutes, seconded by Ms. Benzing. Roll call on motion: Mr. Schuler, aye; Mr. Stitt, aye; Ms. Benzing, aye; Ms. Cann, aye; Ms. Cannon, aye; Motion Passes.

NEW BUSINESS

The Zoning Commission welcomed the new staff member, Mary Berta Coggeshall, as the new Planner and Zoning Inspector.

The Zoning Commission discussed Text Amendments regarding Cannabis Retail Uses, and how the process would work to review applications via Conditional Use Permits by the Board of Zoning Appeals. Mr. Stitt discussed the possibility of introducing Zoning Overlays to give the Zoning Commission a choice in the location of potential retailers or processors for Cannabis.

Mr. McCarthy discussed with the Zoning Commission Long Rang Planning topics, such as concerns with text amendments highlighted from the Board of Zoning Appeals cases, and the possibility of having a Joint meeting between the BZA and Zoning Commission to discuss text amendments. The last long-range topic discussed was rezoning for several neighborhoods across the township to be rezoned from Industrial to Single Family Residential.

ADDITIONAL BUSINESS

The Zoning Commission finalized discussion by talking about properties with code violations, potential commercial developments, and large-scale projects across the township.

ADJOURNMENT

Mr. Stitt made a motion to close the meeting at 6:45pm, seconded by Mr. Schuler
Roll call on motion, all aye.

Donna Cann, Chair
Pierce Township Zoning Commission

Date

2025 Meeting Calendars

Board of Trustees Meetings

Second Wednesday of Each Month at 6:30 p.m.

Board of Trustee Regular Meeting	01/15/25	Greenspace/Parks Committee Meeting	01/01/25 *
Board of Trustee Regular Meeting	02/12/25	Greenspace/Parks Committee Meeting	02/05/25
Board of Trustee Regular Meeting	03/12/25	Greenspace/Parks Committee Meeting	03/05/25
Board of Trustee Regular Meeting	04/09/25	Greenspace/Parks Committee Meeting	04/02/25
Board of Trustee Regular Meeting	05/14/25	Greenspace/Parks Committee Meeting	05/07/25
Board of Trustee Regular Meeting	06/11/25	Greenspace/Parks Committee Meeting	06/04/25
Board of Trustee Regular Meeting	07/09/25	Greenspace/Parks Committee Meeting	07/02/25
Board of Trustee Regular Meeting	08/13/25	Greenspace/Parks Committee Meeting	08/06/25
Board of Trustee Regular Meeting	09/10/25	Greenspace/Parks Committee Meeting	09/03/25
Board of Trustee Regular Meeting	10/08/25	Greenspace/Parks Committee Meeting	10/01/25
Board of Trustee Regular Meeting	11/12/25	Greenspace/Parks Committee Meeting	11/05/25
Board of Trustee Regular Meeting	12/10/25	Greenspace/Parks Committee Meeting	12/03/25

Greenspace/Parks Committee Meetings

First Wednesday of Each Month at 6:30 p.m.

Zoning Commission Meetings

First Tuesday of Each Month at 6:00 p.m.

Zoning Commission Meeting	01/07/25
Zoning Commission Meeting	02/04/25
Zoning Commission Meeting	03/04/25
Zoning Commission Meeting	04/01/25
Zoning Commission Meeting	05/06/25
Zoning Commission Meeting	06/03/25
Zoning Commission Meeting	07/01/25
Zoning Commission Meeting	08/05/25
Zoning Commission Meeting	09/02/25
Zoning Commission Meeting	10/07/25
Zoning Commission Meeting	11/04/25 **
Zoning Commission Meeting	12/02/25

* New Years Day

** Election Day

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Legal Notice

Pierce Township Zoning Commission
2025 Zoning Commission Meetings
Time & Place

Pierce Township Zoning Commission will hold their regular meetings on the first Tuesday of each month at 6:00 p.m. for the calendar year 2025 except for November 4th which has been changed to November 11th. The Zoning Commission will meet at the Pierce Township Administration building, 950 Locust Corner Road, Cincinnati, Ohio 45245 unless otherwise noted. All interested parties are invited to attend.

Eddie F. McCarthy Planning and Zoning Administrator for
_____, Zoning Commission Chair

DRAFT

15.02: Definitions

Adult Use Cannabis. Or "Cannabis" or "Marijuana" means marihuana as defined in Section 3719.01 of the Ohio Revised Code.

Adult Use Cannabis Cultivator. A level I adult use cultivator or a level II adult use cultivator who is licensed pursuant to section 3780.12 of Ohio Revised Code, where cultivate means to grow, harvest, package, and transport adult use cannabis.

Adult Use Cannabis Dispensary. A person licensed pursuant to Section 3780.15 of the Ohio Revised Code and any rules promulgated thereunder to sell adult use cannabis as authorized.

Adult Use Cannabis Operator. A level I adult use cultivator, a level II adult use cultivator, a level III adult use cultivator, an adult use processor and an adult use dispensary in accordance with Ohio Revised Code Section 3780.01.

Adult Use Cannabis Processor. A person licensed pursuant to Section 3780.14 of the Ohio Revised Code, this chapter and any rules promulgated thereunder to manufacture adult use cannabis as authorized.

Adult Use Cannabis Testing Laboratory. An independent laboratory that has been issued a license by the Division of Cannabis Control to have custody and use of adult use cannabis for scientific purposes and for purposes of instruction, research or analysis.

Adult Use Cannabis License. A license by the Division of Cannabis Control to a license applicant pursuant to chapter 3780 of the Revised Code and the rules adopted thereunder for marijuana cultivators, processors, dispensaries, and testing laboratories.

Marijuana. *See Adult Use Cannabis.*

Marijuana Manufacture. The process of converting harvested plant material into adult use extract by physical or chemical means for use as an ingredient in an adult use cannabis product. *See also Adult Use Cannabis Processor.*

Medical Marijuana. Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

Recreational Marijuana. Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for any other purpose other than for medical use.

Table 5.04- I : Nonresidential Use Table

Use	NB	GB	I	RR	Additional Regulations
Adult Use Cannabis Cultivator					5.04 (T)
Adult Use Cannabis Dispensary		PC	PC		5.04 (T)
Adult Use Cannabis Processor		PC	PC		5.04 (T)
Adult Use Cannabis Testing Laboratory	PC	PC	PC	PC	5.04 (T)

Table 19.02-01: Non Residential Use Table

Use	AN	AS	API	AI	DO	Additional Regulations
Adult Use Cannabis Cultivator						5.04 (T)
Adult Use Cannabis Dispensary	PC			PC		5.04 (T)
Adult Use Cannabis Processor	PC			PC		5.04 (T)
Adult Use Cannabis Testing Laboratory	PC		PC	PC	PC	5.04 (T)

5.04 Use-Specific Regulations

****Add after S) Contractor or construction Sales and Rental*

(T) Cannabis Uses

1) All cannabis uses must have an Adult Use Cannabis License Issued by the State of Ohio, and be in compliance with all rules and regulations, as outlined in Chapter 3780 of the Ohio Revised Code. Only those applicants in conformance with Chapter 3780 of the Ohio Revised Code, and holding a valid Adult Use Cannabis License as issued by the State of Ohio, shall have their applications for conditional use accepted.

2) Cannabis uses shall be restricted to the following use types, as defined in _____ of this Zoning Resolution:

- a) Adult use cannabis dispensaries.
- b) Adult use cannabis processors.
- c) Adult use cannabis testing laboratories

3) Adult use cannabis cultivators are not a permitted use.

4) Zoning permits for cannabis uses shall be limited to the following numbers, based on cannabis use type. Conditional Use Permits for cannabis uses shall be accepted on a first-come basis. An application that is incomplete, or that is not in conformance with any part of this section, shall not be accepted.

a) Two (2) Zoning Permits for adult use cannabis dispensaries within the unincorporated areas of Pierce Township

b) Three (3) Zoning Permits for adult use cannabis processors within the unincorporated areas of Pierce Township

c) If a cannabis dispensary is located on the same or adjacent parcel or lot of record as a cannabis processor, and the license as issued by the State of Ohio is held by the same person or entity, that cannabis use shall account only towards the cannabis dispensary permit, and not the cannabis processor permit.

d) Adult use cannabis testing laboratories are not subject to a permit quota.

e) In the event where an applicant for a Conditional Use Permit for a cannabis use submits a completed application, but there are no licenses available, that application shall be placed on a waiting list for a period of five (5) years, and shall be eligible for an available permit based on position on the waiting list. The Township Administrator shall be responsible for administration of the waiting list.

5) Cannabis uses shall be subject to the following regulations, in addition to those found within the Ohio Revised Code.

a) Any cannabis use shall be sited at least 500' from the nearest boundary of a property containing a school, daycare, public library, or public park.

b) Any cannabis use shall be sited at least 100' from the front door of any residential use, measured from the corner of the property containing the cannabis use.

c) All exterior lighting shall be downward facing and dark-sky compliant, and shall not encroach onto adjacent properties. The Township Board of Trustees may require a photometric plan as part of the approval of the Conditional Use.

e) All lighting outside and inside of a dispensary location must be maintained in good working order and wattage sufficient for clear security and surveillance.

f) All cannabis uses applying for Conditional Use Permit shall provide a \$10,000 bond, cash escrow, or irrevocable letter of credit to manage potential nuisance issues associated with the cannabis uses. If the Township intends to seize the bond due to nuisance abatement, the Board of Township Trustees shall schedule a public hearing at a regular meeting of the Township Trustees. The permit holder shall be noticed and provided an opportunity to address the nuisance at least thirty (30) days prior to the hearing.

g) All cannabis uses shall negotiate an agreement with the Board of Township Trustees to outline community benefits of the cannabis use as described in Ohio Revised Code.

6) Cannabis uses shall remain subject to all other applicable sections of this Zoning Resolution.

7.) Conditional Use Permits for cannabis uses are non-transferrable. They shall be subject to review under the following circumstances

a) Each January, to ensure compliance with Ohio Revised Code.

b) Upon valid complaint of violation of conditions outlined within the Conditional Use Permit.

c) Upon notice of violation or revocation of license from the State of Ohio.

8.) Conditional Use Permits for cannabis uses shall be forfeit and void after sixty (60) days from the date of approval if an operator agreement has not been established with the Township Trustees. Extension of the sixty (60) day period may be extended by mutual agreement of the Township Trustees and the applicant.

9.) A Conditional Use Permit for cannabis uses may be revoked under the following circumstances

a.) Loss of Adult Use Cannabis License from the State of Ohio

b.) A pattern of criminal activity as determined by criminal citations and/or criminal charges and convictions.

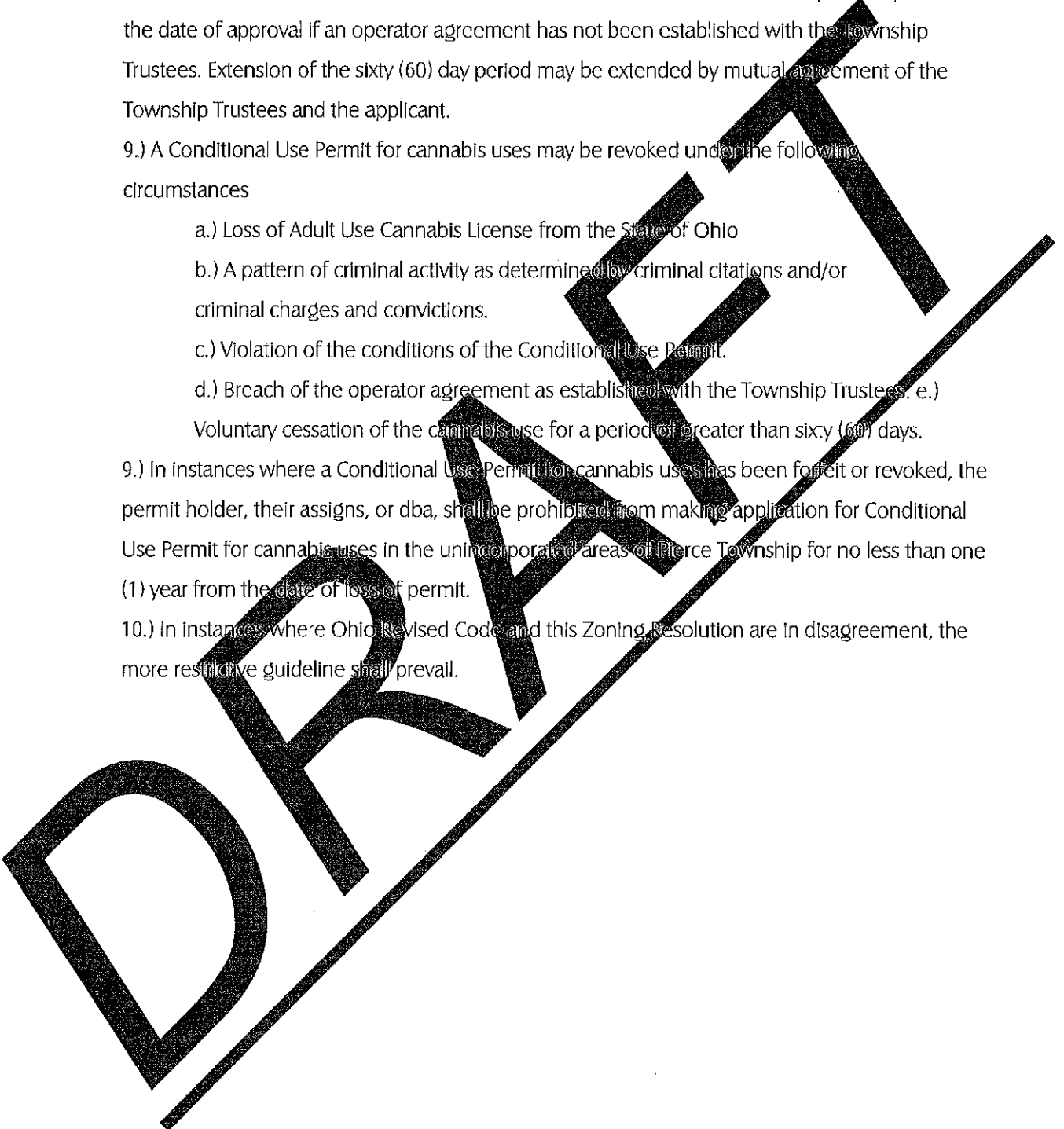
c.) Violation of the conditions of the Conditional Use Permit.

d.) Breach of the operator agreement as established with the Township Trustees. e.)

Voluntary cessation of the cannabis use for a period of greater than sixty (60) days.

9.) In instances where a Conditional Use Permit for cannabis uses has been forfeit or revoked, the permit holder, their assigns, or dba, shall be prohibited from making application for Conditional Use Permit for cannabis uses in the unincorporated areas of Pierce Township for no less than one (1) year from the date of loss of permit.

10.) In instances where Ohio Revised Code and this Zoning Resolution are in disagreement, the more restrictive guideline shall prevail.





November 1, 2024

Mr. Edward McCarthy
Pierce Township Administrator
950 Locust Corner
Pierce Township, OH 45245

RE: Cannabis Code Amendments

Mr. McCarthy,

Attached is a Work Authorization for services related to the Zoning Text Amendment to Regulate Cannabis Uses. Our understanding of the scope of services is to provide required Zoning Text Amendments, including:

- (1) updated definitions
- (2) conditional uses text and all related use tables,
- (3) and text conforming with Resolution 2024-028 provided by the Township.

Our fee for the stated scope of services is based on our estimate of 18 hours to complete and furnish a final draft of your requested amendments. This includes any meetings, calls, or other coordinating activities.

Please let me know when you are available to discuss this proposal.

Sincere Regards,

A handwritten signature in blue ink, appearing to read 'JH'.

Jim Hockaday
Project Principal

PIERCE TOWNSHIP
TASK ORDER FORM No. 2 CONSULTING
SERVICES AGREEMENT FOR
Permitting and Staff Report Processing

PROJECT No. CT - 11/2024- 2

This TASK ORDER NO. 2 to CT Consultants dated 11/14/2024, hereinafter called Agreement, between Pierce Township, (TOWNSHIP), and CT Consultants (Verdantas) (CONSULTANT).

1. DESCRIPTION OF PROJECT

Drafting of Cannabis Regulations (Proposal Attached)

Fees to be charged in accordance with the referenced proposal.

Not to exceed \$3,400.

2. SCOPE OF SERVICES The Township agrees to utilize the services of CONSULTANT and CONSULTANT agrees to perform services as listed in attachment and as requested by TOWNSHIP as per the CONSULTANT Services Agreement. CONSULTANT shall confirm the scope, schedule, and anticipated compensation for such services in writing prior to starting work (see attached proposed Scope of Services).

3. TOWNSHIP'S RESPONSIBILITIES TOWNSHIP to provide CONSULTANT with the following information:

- a) TOWNSHIP shall assign appropriate reviewers to the project and compile and provide a single consolidated, coordinated, legible copy of written review comments to CONSULTANT for all draft documents and work products, as appropriate.
- b) TOWNSHIP shall provide timely review of submitted products as appropriate.

4. COMPENSATION

- a) TOWNSHIP shall pay CONSULTANT according to the fee schedule set forth in Exhibit A to the CONSULTANT Services Agreement dated 11/14/2024.
- b) Services provided under this Task Order shall not exceed (dollar value) _____ or \$ \$3,400.

5. MISCELLANEOUS

All terms and conditions of the CONSULTANT Services Agreement apply to this Task Order as though fully set forth therein. In the event of a conflict between this Task Order and the CONSULTANT Services Agreement, the terms of this Task Order shall apply.

The parties do mutually agree to all mutual covenants and agreements contained within this Task Order No. 2.

PIERCE TOWNSHIP

(CONSULTANT) _____

By: Eddie McCarthy

By: _____

Title: Interim Administrator

Title: _____

Date: 11/14/2024

Date: _____

Work Authorization

Name/Owner:	Pierce Township	Date: 10/31/2024
Address:	950 Locust Corner Pierce Twp. OH 45245	Attn: Mr. Edward McCarthy, Director of Community Development and Zoning
		Phone:
		E-mail: emccarthy@piercetownship.org

Project Title: Resolution 2024-028	Project Description: Zoning Text Amendment to Regulate Cannabis Uses Pierce Twp.
Project Location: Pierce Township, Ohio	

CT Consultants, Inc. ("CT" or "Planner") will provide the remaining scope of services to complete the project as documented in the Proposal dated 10/17/2024. The previous work and remaining work are described as follows:

WA #1: Planning Support for Zoning Text Amendment = Lump Sum Fee of \$3,400.00

Fee and Payment

CT will accomplish the work outlined above and in the Scope of Services (attached) for **\$3,400.00** upon authorization. Invoices will be submitted monthly based upon time spent on the project. Payment is due upon receipt of invoice and past due 30 days after receipt.

Acceptance and Authorization to Proceed

Upon the authorized signature of both parties to this contract, they agree to the above prices, terms, and conditions as satisfactory. Payments will be made as outlined above, and work can proceed. No work shall proceed until the signed work authorization is returned by the Owner to CT.

Owner: Eddie McCarthy

Planner: _____

Authorized Signature:

Eddie McCarthy

Date Accepted:

11/15/2024

Date: _____