



RESOLUTION 2026-38

A RESOLUTION ESTABLISHING A MORATORIUM ON THE RETAIL CULTIVATION, PROCESSING, AND DISPENSING OF ADULT-USE AND MEDICAL MARIJUANA IN THE CITY OF POWELL UNTIL DECEMBER 31, 2026 OR THE EFFECTIVE DATE OF THE ADOPTED ZONING CODE REWRITE, WHICHEVER OCCURS FIRST.

WHEREAS, the City of Powell adopted Resolution 2024-24 which established a twelve-month moratorium on the retail, cultivation, processing, and dispensing of adult and medical marijuana and subsequently extended that moratorium for an additional twelve-months through the adoption of resolution 2025-20, which has since expired; and

WHEREAS, the City of Powell has completed the comprehensive rewrite of the City's zoning ordinance, including regulations pertaining to marijuana-related businesses and uses, and the proposed zoning ordinance is currently proceeding through the public legislative review and adoption process; and

WHEREAS, the objectives of Resolution 2024-24 are still relevant and establishing this moratorium will allow City Council and staff time to study these issues and implement the final regulations in order to ensure the public peace, health, safety, and welfare.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, COUNTY OF DELAWARE, STATE OF OHIO AS FOLLOWS:

Section 1: Council of the City of Powell, Ohio hereby establishes the moratorium on the retail cultivation, processing, or dispensing of Adult-Use Marijuana and medical marijuana. Retail cultivation, processing, and dispensing of Adult-Use Marijuana and medical marijuana uses are specifically prohibited anywhere within the City of Powell, Ohio until December 31, 2026 or the effective date of the adopted zoning code rewrite, whichever occurs first. Activities subject to this moratorium include, but are not limited to, the acceptance of any applications for, or the granting of, building permits, zoning approvals, certificates of business occupancy, or certificates of occupancy that would enable the retail cultivation, processing, distribution, or sale of Adult-Use Marijuana or medical marijuana in the City of Powell.

Section 2: No existing business in the Powell may expand in any way that would establish the retail cultivation, processing, distribution, or sale of Adult-Use Marijuana or medical marijuana for the duration of the moratorium period established in this Resolution.

Section 3: The moratorium may be extended by legislative action of City Council if it determines that additional time is necessary based on the objectives of this Resolution.

Section 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of Council and any of the decision-making bodies of the City of Powell, which resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Powell, Delaware County, Ohio.

City Council

Heather Karr, Mayor

Kurt Ramsey

Leif Carlson

David Lester

Tom Counts

Tyler Herrmann

Carlos Crawford

Section 5: This Resolution shall be in full force and shall take effect at the earliest date allowed by law.

Heather C. Karr 7/21/26
Heather Karr Date
Mayor

Elaine McCloskey 7/21/26
Elaine McCloskey Date
City Clerk

ADOPTED DATE: July 21, 2026
EFFECTIVE DATE: July 21, 2026



This legislation has been posted in accordance with the City Charter on this date 7/22/26.

EMcCloskey City Clerk



OFFICE OF THE CITY MANAGER

47 Hall Street | Powell, OH 43065 | 614.885.5380 | cityofpowell.us

MEMO

From: Andrew D. White, City Manager

To: Members of City Council

Initiated By: Logan Stang, Planning Director

Re: Resolution 2026-38 – A RESOLUTION ESTABLISHING A MORATORIUM ON THE RETAIL CULTIVATION, PROCESSING, AND DISPENSING OF ADULT-USE AND MEDICAL MARIJUANA IN THE CITY OF POWELL UNTIL DECEMBER 31, 2026 OR THE EFFECTIVE DATE OF THE ADOPTED ZONING CODE REWRITE, WHICHEVER OCCURS FIRST.

Date: July 21, 2026

Summary:

This resolution is a request to establish a new moratorium on the retail cultivation, processing, and dispensing of adult-use and medical marijuana in the City. Council previously adopted Resolution 2024-24, which established an initial moratorium following the passage of Ohio State Issue 2. Issue 2 legalized the commercial sale, recreational use, and home cultivation of marijuana for individuals 21 years of age and older and established the Ohio Division of Cannabis Control. The moratorium was intended to provide the State with sufficient time to develop comprehensive standards and procedures governing the commercial sale, recreational use, and home cultivation of adult-use marijuana before such businesses were permitted to locate within the City. Resolution 2024-24 was subsequently extended for twelve months through Resolution 2025-20.

Since the adoption of Resolution 2024-24 and Resolution 2025-20, the City has undertaken a comprehensive rewrite of its zoning ordinance. This effort has provided the opportunity to evaluate and develop appropriate zoning regulations governing marijuana-related businesses and land uses. The proposed zoning code has now been completed and is currently moving through the public review, legislative consideration, and adoption process. The proposed zoning code would prohibit marijuana or cannabis operators and associated uses throughout the City.

The zoning rewrite required additional time to complete, and during that period Resolution 2025-20 expired before the new zoning regulations could be adopted. Establishing the new moratorium will protect the public health, safety, and welfare by allowing sufficient time for the proposed zoning code to proceed through the legislative review and adoption process and avoid potential conflicts between existing zoning regulations and the City's anticipated land use policies.

Legal Review:

The Law Director has reviewed and approved to form.

Financial Review:

The Finance Director has reviewed and supports staff recommendation.

Recommendation:

Staff recommends approval of Resolution 2026-38.