



RESOLUTION 2026-47

A RESOLUTION EXTENDING THE TEMPORARY MORATORIUM ON THE RETAIL CULTIVATION, PROCESSING, AND DISPENSING OF ADULT-USE AND MEDICAL MARIJUANA IN THE CITY OF POWELL UNTIL DECEMBER 31, 2027 OR UNTIL THE EFFECTIVE DATE OF LEGISLATION APPROVED BY CITY COUNCIL AMENDING THE ZONING CODE TO ESTABLISH REGULATIONS AND GUIDELINES FOR SUCH USES, WHICHEVER OCCURS FIRST.

WHEREAS, the City of Powell adopted Resolution 2026-38 which established a moratorium on the retail, cultivation, processing, and dispensing of adult and medical marijuana until the effective date of Ordinance 2026-14 for the Zoning Code Rewrite or December 31, 2026, whichever occurs first; and

WHEREAS, City Council has directed that additional conversations and consideration take place regarding the regulation of adult-use and medical marijuana within the City of Powell, including the potential zoning regulations, guidelines, and other matters related to such uses; and

WHEREAS, the City Council finds that extending the existing moratorium is necessary to allow sufficient time for City staff, the Planning Commission, City Council, and the public to evaluate and develop appropriate zoning regulations without the potential for new marijuana-related uses to be established before such regulations are adopted; and

WHEREAS, the objectives of Resolution 2026-38 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, 2027 or until the effective date of legislation approved by City Council amending the Zoning Code to establish regulations and guidelines for such uses, 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.

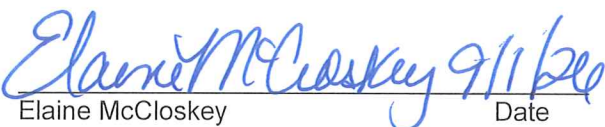
Section 2: No existing business in the Powell may expand in any way that would establish the retail cultivation, processing, distribution, or sale of Adult-Use Marijuana or medical marijuana for the duration of the moratorium period established in this Resolution.

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.

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

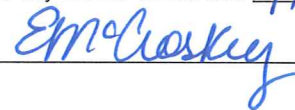
 9/1/26
Heather Karr
Mayor Date

 9/1/26
Elaine McCloskey
City Clerk Date

ADOPTED DATE: September 1, 2026

EFFECTIVE DATE: September 1, 2026

This legislation has been posted in accordance with
the City Charter on this date 9/2/26.

 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 2026-47 , A RESOLUTION EXTENDING THE TEMPORARY MORATORIUM ON THE RETAIL CULTIVATION, PROCESSING, AND DISPENSING OF ADULT-USE AND MEDICAL MARIJUANA IN THE CITY OF POWELL UNTIL DECEMBER 31, 2027 OR UNTIL THE EFFECTIVE DATE OF LEGISLATION APPROVED BY CITY COUNCIL AMENDING THE ZONING CODE TO ESTABLISH REGULATIONS AND GUIDELINES FOR SUCH USES, WHICHEVER OCCURS FIRST.

Date: September 1, 2026

Summary:

This resolution is a request to extend the moratorium approved through Resolution 2026-38 on the retail cultivation, processing, and dispensing of adult-use and medical marijuana in the City.

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.

Resolution 2026-38 continued the moratorium through December 31, 2026, or until the effective date of Ordinance 2026-14, whichever occurred first. Since the adoption of Resolution 2026-38, the City has completed a comprehensive rewrite of its zoning ordinance which was presented and approved under Ordinance 2026-14.

City Council has requested additional discussion and information regarding the regulation of adult-use and medical marijuana within the City of Powell, including the potential zoning regulations and guidelines that may apply to such uses. The proposed extension will provide additional time for City staff, the Planning Commission, City Council, and the public to evaluate these issues and develop an appropriate regulatory framework without the potential for new marijuana-related uses to become established before regulations are adopted.

Staff recommends that the moratorium be in effect until December 31, 2027 or until the effective date of legislation approved by City Council amending the zoning code to establish regulations and guidelines for adult-use and medical marijuana uses, whichever occurs first.

Legal Review:

The Law Director has reviewed and approved to form.

Financial Review:

The Finance Director has reviewed and supports staff recommendations.

Recommendation:

Staff recommends approval of Resolution 2026-47.