



# City of Columbus

## Legislation Report File Number: 0162-2025

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

### 30-Day

**File ID:** 0162-2025

**Type:** Ordinance

**Status:** Passed

**Version:** 1

**\*Committee:** Rules & Policy Committee

**File Name:** Revisions for ODCC Uses, SPs, and Prohibited Uses

**File Created:** 01/15/2025

**Final Action:** 02/13/2025

### Auditor Cert #:

**Auditor:** When assigned an Auditor Certificate Number I , the City Auditor, hereby certify that there is in the treasury, or anticipate to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within Ordinance.

**Contact Name/No.:** Shannon Pine; 614-645-2208

### Floor Action (Clerk's Office Only)

#### Mayor's Action

#### Council Action

Mayor

Date

Date Passed/ Adopted

President of Council

Veto

Date

City Clerk

### Title:

To supplement the Columbus Zoning Code, Title 33, by amending or adding various code sections for land uses and definitions associated with the Ohio Division of Cannabis Control, the General Offenses Code, Title 23, and the Fire Prevention Code, Title 25, to repeal the corresponding existing city code provisions, and to repeal Sections 3389.09 and 3389.115,

which

require a Special Permit from the Board of Zoning Adjustment for certain uses.

**Sponsors:** Rob Dorans and Shannon G. Hardin



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**Attachments:**

**Related Files:**

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	1/22/2025	BZS DIRECTOR	Approved	1/24/2025
<b>Notes:</b> Approved: Out of Office					
1	2	1/22/2025	ATTORNEY APPROVER	Approved	1/24/2025
<b>Notes:</b> Inb					

### History of Legislative File

Ver.	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Columbus City Council	02/03/2025	Read for the First Time				
1	Columbus City Council	02/10/2025	Approved				Pass
1	COUNCIL PRESIDENT	02/10/2025	Signed				
1	MAYOR	02/12/2025	Signed				
1	CITY CLERK	02/13/2025	Attest				

**ODI:** Following the review and approval, when required, the Office of Diversity and Inclusion certifies compliance with Title 39 as of date listed.

**City Attorney:** Following review and approval, when required, this ordinance has been reviewed by the City Attorney's Office as to its form and legality only.



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### Explanation

#### **BACKGROUND:**

In response to the creation of the Ohio Medical Marijuana Control Program in 2018, the Zoning Code was updated to specify which zoning districts the uses licensed under the State program would be allowed in based upon already codified similar land uses. In addition, it created the requirement and review standards for obtaining a Special Permit from the Columbus Board of Zoning Adjustment for the establishment of an Ohio Medical Marijuana Control Program Retail Dispensary.

In November 2023, Issue 2 was placed on the ballot for Ohio voters to decide whether to commercialize, regulate, and legalize the adult use of cannabis in the State of Ohio. Specifically, Issue 2 legalized and provided for the regulation of recreational marijuana for adults aged 21 and above, including cultivation, processing, sale, and purchase.

The Special Permit requirement for Medical Marijuana Dispensaries was added as a way to require the Owner to present certain information to their neighbors. Now, the Ohio Division of Cannabis Control has its own regulations for all cannabis uses, both medical and adult use (non-medical), and maintains lists of the Owners on its website with a mapping feature to show the locations of the dispensaries. Based on these stringent requirements, and the fact that existing dispensaries have not posed harm to Columbus' public safety and welfare, the Special Permit is unnecessary for all dispensary uses. These code changes will not alter, change, lessen, or abrogate any of the state level standards or requirements for any licensed facility under the control of the Ohio Division of Cannabis Control.

These code changes also include updates to prohibited uses and redefined terms to align with Title 23, the General Offenses Code, and Title 25, the Fire Prevention Code, which were requested by the City Attorney's Office.

**FISCAL IMPACT:** None

#### **Title**

To supplement the Columbus Zoning Code, Title 33, by amending or adding various code sections for land uses and definitions associated with the Ohio Division of Cannabis Control, the General Offenses Code, Title 23, and the Fire Prevention Code, Title 25, to repeal the corresponding existing city code provisions, and to repeal Sections 3389.09 and 3389.115, which require a Special Permit from the Board of Zoning Adjustment for certain uses.



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### Body

**WHEREAS**, in response to the passage of Issue 2 in November 2023, this code change is necessary to amend various sections of the Zoning Code to specify which zoning districts the uses licensed under the State program would be allowed in based upon already codified similar land uses for land uses associated with the Ohio Division of Cannabis Control; and

**WHEREAS**, these code changes repeal the requirement for obtaining a Special Permit from the Columbus Board of Zoning Adjustment for the establishment of an Ohio Medical Marijuana Control Program Retail Dispensary; and

**WHEREAS**, these code changes will not alter, change, lessen, or abrogate any of the state level standards or requirements for any licensed facility under the control of the Ohio Division of Cannabis Control; and

**WHEREAS**, these code changes also include updates to prohibited uses and redefined terms to align with Title 23, the General Offenses Code, and Title 25, the Fire Prevention Code, which were requested by the City Attorney's Office; **NOW, THEREFORE**,

### **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the existing Section 3303.05 of the Columbus City Codes is hereby amended to read as follows:

#### **3303.05 Letter E.**

"Explosives" means any materials or combination of materials classified as an explosive under C.C. Chapter ~~2556~~2256.

**SECTION 2.** That the existing Section 3303.06 of the Columbus City Codes is hereby amended to read as follows:

#### **3303.06 Letter F.**

"Fireworks" means any pyrotechnic devices classified as fireworks under C.C. Chapter ~~2533~~2556.

**SECTION 3.** That Section 3303.15 of the Columbus City Codes is hereby amended to read as follows:

#### **3303.15 - Letter O.**

"Occupancy" means the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use. The term also pertains to the purpose for which a building or part of a building is used or intended to be used. Change of occupancy is not construed to include change of tenants or proprietors, when a nonconforming use is being considered.



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Off-Premises Sign. See "Sign."

"Ohio Division of Cannabis Control Licensed Facility" means Ohio Division of Cannabis Control Testing

Laboratory, Ohio Division of Cannabis Control Retail Dispensary, Ohio Division of Cannabis Control Cultivator, and Ohio Division of Cannabis Control Processors, for both adult-use and medical purposes.

"Ohio Division of Cannabis Medical Marijuana Control Program Testing Laboratory" means an independent laboratory located in Ohio licensed or receiving a certificate of operation under Title 37 Chapter 3796 of the Ohio Revised Code and any rules promulgated thereunder to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

"Ohio Division of Cannabis Medical Marijuana Control Program Dispensary" means an entity licensed or receiving a certificate of operation under Title 37 Chapter 3796 of the Ohio Revised Code and any rules promulgated thereunder to sell adult-use or medical marijuana to qualifying patients and caregivers customers.

"Ohio Division of Cannabis Medical Marijuana Control Program Cultivator" means an entity licensed or receiving a certificate of operation under Title 37 Chapter 3796 of the Ohio Revised Code and any rules promulgated thereunder to grow, harvest, package, and transport adult-use or medical marijuana.

"Ohio Division of Cannabis Medical Marijuana Control Program Processor" means an entity licensed or receiving a certificate of operation under Title 37 Chapter 3796 of the Ohio Revised Code and any rules promulgated thereunder to manufacture adult-use or medical marijuana products.

On-Premises Sign. See "Sign."

"Opaque" means a completely nontransparent and nontranslucent material.

"Open court" means open, uncovered, unoccupied space on the same lot with a building wholly surrounded by or bordered on two or more sides by the building walls.

Open Porch. See "Porch."

Outdoor amphitheater" means any non-publicly owned or operated land or open faced structure or building designed, intended to be used, or used to accommodate patrons in tiered seating and exclusive from motor vehicles.

Outline Lighting and Neon Outline Lighting.

"Outline lighting" means an arrangement of lights, lamps or electric discharge tubing that outlines or calls attention to certain features of a building such as its shape or the decoration of a window.

"Neon outline lighting" means outline lighting formed in whole or part with neon.

"Overlay" means an additional special classification together with regulations therefore which is superimposed on an area already subject to a district classification and general zoning regulations.

"Owner" means any person, as defined in C.C. 3303.16, who is the owner of record as shown on the current tax list of the county auditor; the mortgage holder of record, if any, as shown in the mortgage records of the county recorder, and any purchaser under a land contract. "Owner" also means any person who has a freehold or lesser estate in the premises; a mortgagee or vendee in possession; or any person



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who has charge, care or control of the premises as agent, executor, administrator, assignee, receiver, trustee, guardian or lessee.

**SECTION 4.** That Section 3353.03 of the Columbus City Codes is hereby amended to read as follows:

### **3353.03 - Permitted uses.**

The following are uses permitted in the C-2, Office Commercial District; however these are not meant to be exhaustive nor an exclusive listing. The Director has the authority to decide if an unnamed use is of similar enough character and nature to warrant inclusion into the C-2 district.

The North American Industry Classification System, or its successor document, is the reference document used to provide use families for this chapter. The Director may use the current NAICS or its successor, as one document in making decisions as to the appropriateness of any future use permitted to be in the C-2, district.

A. Offices for administrative and support services, examples include:

- Administrative and Support Services
- Business Service Centers and Support Services
- Collection Agencies
- Convention and Visitors Bureaus
- Court Reporting and Stenotype Services
- Credit Bureaus
- Document Preparation Services
- Employment Services and Placement Agencies
- Facilities Support Services
- Professional Employer Organizations
- Repossession Services
- Telephone Answering Services
- Telemarketing Bureaus
- Telephone Call Centers
- Temporary Help Services
- Tour Operators
- Travel Agencies, Travel Arrangement and Reservation Services

B. Offices and/or Clinics for Health Care and Social Assistance, examples include:

- Ambulatory Health Care Services
- Chiropractors, Dentists, Optometrists, Physicians and Podiatrists
- Diagnostic Imaging Centers
- Family Planning Centers
- Freestanding Ambulatory Surgical and Emergency Centers



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HMO Medical Centers (Urgent Care)  
Home Health Care Services  
Kidney Dialysis Centers  
Medical and Diagnostic Laboratories  
Mental Health Practitioners  
Miscellaneous Health Practitioners  
Outpatient Care Centers  
Outpatient Mental Health Centers  
Physical, Occupational and Speech Therapists and Audiologists  
Social Services

C. Offices for Finance and Insurance, examples include:

Banking, Commercial and Personal  
Brokerage, Commodity and Securities Exchanges  
Claims Adjusting Offices  
Commodity Contracts Brokerage and Dealing  
Consumer Lending  
Credit Unions  
Direct Casualty, Health, Life, Medical, Property and Title Insurance Carriers  
Financial Transactions Processing, Reserve and Clearinghouse Activities  
Funds, Trusts, and Other Financial Vehicles  
Insurance Agencies, Brokerages, Carriers and Employee Benefit Funds  
International Trade Financing  
Investment Advice and Banking and Securities Dealing  
Mortgage and Non-mortgage Loan Brokers  
Pension Funds  
Savings Institutions

Trusts, Estates, Fiduciary and Agency Accounts

D. Offices for Public and Miscellaneous Purposes, examples include:

Business, Professional, Labor, Political and Similar Organizations  
Conservation, Environment and Wildlife Organizations  
Civic and Social Organizations  
Human Rights Organizations  
Libraries  
Local, County, State and Federal Government  
Public Fire Stations  
Religious, Grant making, Civic, Professional and Similar Organizations  
Social Advocacy Organizations



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### Voluntary Health Organizations

#### E. Offices for Professional, Scientific and Technical Services examples include:

- Accounting and Bookkeeping Services
- Advertising Services
- Administrative and General Management Consulting Services
- Architectural, Drafting, Engineering, Graphic and Landscape Design Services
- Bank Holding Companies
- Certified Public Accountants
- Contractors
- Computer Centers, Programming and Systems Design Services
- Corporate, Subsidiary and Regional Managing
- Display Advertising
- Human Resources and Executive Search Consulting Services
- Interior Design Services
- Industrial Design Services
- Lawyers and Legal Services
- Management, Companies and Enterprises and Consulting Services
- Marketing Consulting, Public Opinion Polling and Research Services
- Notaries
- Payroll Services
- Process, Physical Distribution and Logistics Consulting Services
- Public Relations Agencies
- Real Estate Agents and Brokers
- Surveying and Mapping Services
- Tax Preparation Services
- Title Abstract and Settlement
- Translation and Interpretation Services

#### F. Non-Office Commercial Facilities including:

- Art Studios (No retail sales)
- Electronic and Telephone Mail Order Processing Centers
- Educational Facility, Business, Computer, Management and Training Facilities
- Educational Facility, Professional, Secretarial, Technical and Trade
- Internet Providers, Web Search Portals and Data Processing Services
- Libraries and Museums
- Music Publishers
- Ohio ~~Division of Cannabis~~ ~~Medical Marijuana~~ ~~Control Program~~ Testing Laboratory
- Photography Studios, Commercial and Portrait
- Post Offices



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- Public Park and Recreation Centers
- Radio and Television Broadcasting Stations and Studios
- Recording Studios
- Religious Facilities
- Schools (as defined in C.C. 3303)
- G. Non-Office Commercial Uses, subject to the additional provisions of C.C. 3353, including:
  - Adult and Child Day Care Centers
  - Monopole Telecommunication Antennas
  - Veterinarians (Limited practice)
- H. Dwelling units, as allowed under C.C. 3353.05.

**SECTION 5.** That Section 3356.03 of the Columbus City Codes is hereby amended to read as follows:

### **3356.03 C-4 permitted uses.**

The following are uses permitted in the C-4, Commercial District; however these are not meant to be exhaustive nor an exclusive listing. The Director has the authority to decide if an unnamed use is of similar enough character and nature to warrant inclusion into the C-4 district.

The North American Industry Classification System, or its successor document, is the reference document used to provide use families for this chapter. The Director may use the current NAICS or its successor, as one document in making decisions as to the appropriateness of any future use permitted to be in the C-4, district.

A. All uses listed in C.C. 3351, C.C. 3353 and C.C. 3355. B. Commercial uses allowing dwelling units above the primary use, including:

- Appliance Stores
- Automotive Accessories, Parts and Tire Stores
- Automobile and Light Truck Dealers
- Automobile Driving Training Facility
- Automotive Sales, Leasing and Rental
- Bars, Cabarets and Nightclubs
- Blood and Organ Banks
- Building Material and Supplies Dealers
- Caterers
- Check Cashing and Loans
- Community Food Pantry
- Consumer Goods Rental
- Discount Department Stores
- Electronics Stores



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Floor Covering Stores  
Furniture and Home Furnishings Stores  
General Merchandise Stores  
Home Centers  
Household and Personal Goods Maintenance and Repair  
Linen and Uniform Supply  
Missions/Temporary Shelters  
Motorcycle, Boat, and Other Motor Vehicle Dealers  
Motor Vehicle Accessories and Parts Dealers  
~~Ohio Division of Cannabis Medical Marijuana Control Program~~ Dispensary  
Outdoor Power Equipment Stores  
Parking Lots and Parking Garages as allowed in C.C. 3356.05

Pawn Brokers  
Recreational Vehicle Dealers  
Reupholster and Furniture Repair  
Sporting Goods and Outfitters Stores  
Supermarkets  
Truck, Utility Trailer, and RV (Recreational Vehicle) Sales, Rental and Leasing  
Used Merchandise Stores  
Vending Machine Operators  
Warehouse Clubs and Super Centers

C. Commercial uses not allowing dwelling units above the primary use, including:

Automotive Maintenance and Repair  
Bowling Centers  
Carpet and Upholstery Cleaning Services  
Drive-In Motion Picture Theaters  
Exterminating and Pest Control Services  
Farm Equipment and Supply Stores  
Garden, Landscaping and Nursery Centers and Sales  
Hotels and Motels  
Hotels, Extended Stay  
Hospitals  
Janitorial Services  
Lawn and Garden Equipment and Supplies Stores  
Limousine and Taxi Service  
Paint and Wallpaper Stores  
Performing Arts, Spectator Sports and Related Industries



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Theaters, Dance Companies and Dinner Theaters

D. Commercial uses not allowing dwelling units above the primary use and subject to the additional provisions of C.C. 3356.05, including:

- Animal Shelter
- Amusement Arcade
- Halfway House
- Veterinarians (unlimited practice)

E. Dwelling units, as allowed under C.C. 3356.05.

**SECTION 6.** That Section 3363.08 of the Columbus City Codes is hereby amended to read as follows:

### **3363.08 Miscellaneous uses-less objectionable uses.**

Miscellaneous uses less objectionable uses permitted in M-Manufacturing Districts, subject to the provisions of this Zoning Code are:

Manufacture, compounding, processing, assembling, packaging or treatment of goods, materials and products not involving operations which are obnoxious or offensive by reason of odor, dust, smoke, gas, fumes, vibration, noise or other cause:

- Cigar or cigarette manufacture
- Dry cleaning and dyeing plant
- Fur finishing
- Leather goods manufacture (not including tanning)
- Laundry (employing more than three persons)
- Monument shop
- Motion-picture producing

Ohio ~~Division of Cannabis Medical Marijuana Control Program~~ Cultivator

Ohio ~~Division of Cannabis Medical Marijuana Control Program~~ Processor

Paint and shellac (excluding manufacture of lacquer, varnish colors, pigments, thinners and removers)

Plastic products

Printing, publishing or engraving (other than as permitted in Commercial Districts)

Research and development laboratories, computer laboratories, and offices in connection with such laboratories

Show printing

Steam laundry

Other uses of similar character which are not obnoxious or offensive, as defined in this section.



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**SECTION 7.** That Section 3365.08 of the Columbus City Codes is hereby amended to read as follows:

### **3365.08 Miscellaneous uses-less objectionable uses.**

Miscellaneous uses less objectionable uses permitted in M-1 Manufacturing Districts, subject to the provisions of this Zoning Code are:

Manufacture, compounding, processing, assembling, packaging or treatment of goods, materials and products not involving operations which are obnoxious or offensive by reason of odor, dust, smoke, gas, fumes, vibration, noise or other cause:

- Cigar or cigarette manufacture
- Commercial radio transmitting or television station and appurtenances thereto
- Dry cleaning and dyeing plant
- Fur finishing
- Leather goods manufacture (not including tanning)
- Laundry (employing more than three persons)
- Monument shop
- Motion-picture production
- Ohio ~~Division of Cannabis Medical Marijuana Control Program~~ Cultivator
- Ohio ~~Division of Cannabis Medical Marijuana Control Program~~ Processor
- Paint and shellac (excluding manufacture of lacquer, varnish colors, pigments, thinners and removers)
- Plastic products
- Printing, publishing or engraving (other than as permitted in Commercial Districts)
- Research and development laboratories, computer laboratories, and offices in connection with such laboratories
- Residence for a resident watchman
- Show printing
- Steam laundry
- Other uses of similar character which are not obnoxious or offensive, as defined in this section.

**SECTION 8.** That Section 3367.08 of the Columbus City Codes is hereby amended to read as follows:

### **3367.08 Miscellaneous uses-less objectionable uses.**

Miscellaneous uses, less objectionable uses permitted in M-2 manufacturing districts, subject to the provisions of this Zoning Code are:

Manufacture, compounding, processing, assembling, packaging or treatment of goods, materials

and products not involving operations which are obnoxious or offensive by reason of odor, dust,



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smoke,

gas, fumes, vibration, noise or other cause:

- Cigar or cigarette manufacture
- Commercial radio transmitting or television station and appurtenances thereto
- Dry cleaning and dyeing plant
- Fur finishing
- Leather goods manufacture (not including tanning)
- Laundry (employing more than three persons)
- Monument shop
- Motion-picture production
- Ohio ~~Division of Cannabis Medical Marijuana Control Program~~ Cultivator
- Ohio ~~Division of Cannabis Medical Marijuana Control Program~~ Processor
- Paint and shellac (excluding manufacture of lacquer, varnish colors, pigments, thinners and removers)
- Plastic products
- Printing, publishing or engraving (other than as permitted in commercial districts)
- Residence of a resident watchman
- Research and development laboratories, computer laboratories, and offices in connection with such laboratories
- Show printing
- Steam laundry
- Other uses of similar character which are not obnoxious or offensive, as defined in this section.

**SECTION 9.** That the existing Section 3387.01 of the Columbus City Codes is hereby amended to read as follows:

**3387.01 Prohibited uses specified.**

Within the City, no buildings or premises shall be used, and no buildings or structures shall be erected which are arranged, intended or designed to be used for any of the following uses:

- (1) Acid manufacture or sale including hydrochloric, nitric, sulfuric, sulfurous or hydrofluoric acid;
- (2) Bronze powder or other metallic powder manufacture or sale;
- (3) Explosives manufacture, storage or sale;
- (4) Fireworks manufacture, storage or sale;
- (5) Landfill or dump for refuse;
- (6) Outdoor firing range;
- (7) Slaughtering of animals (except poultry), stock yards;
- (8) Any other use prohibited under Chapter 2329.

Exception: Use prohibitions 1, 2, 3, and 4 listed above shall not apply to facilities in experimental and analytical laboratories when permission for such use has been obtained in writing from the state



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Department of Industrial Relations, nor in laboratories of state accredited schools, colleges, and other similar institutions for the purpose of instruction or experiment when approved by the Fire Chief of the City of Columbus, or designee. The use prohibition in (4) above shall not apply to the display and sale of fountain devices in accordance with the Ohio Revised Code.

**SECTION 10.** That Columbus City Codes are hereby supplemented with the repeal of existing Section 3389.09:

**~~3389.09 – Slaughterhouse or stockyard.~~**

~~A slaughterhouse or a stockyard requires a Special Permit and shall only be located in an M or M-1~~

~~Manufacturing District.~~

**SECTION 11.** That Columbus City Codes are hereby supplemented with the repeal of existing Section 3389.151:

**~~3389.151 Ohio Medical Marijuana Control Program Retail Dispensary.~~**

~~An Ohio Medical Marijuana Control Program Retail Dispensary requires a Special Permit and shall only be located in any zoning district permitting C-4 Commercial District uses. In addition to complying with the underlying zoning standards, an Ohio Medical Marijuana Control Program Retail Dispensary shall provide proof that their proposed location provides a minimum 500-foot separation from other Ohio Medical Marijuana Control Program Retail Dispensaries. Distance separation as required in this section is measured from the closest point on a parcel line containing the Ohio Medical Marijuana Control Program Retail Dispensary and the closest point on a parcel line containing the zoning district or use it is to be separated from.~~

~~The board of zoning adjustment shall grant a special permit for a Medical Marijuana Retail Dispensary only when it finds that the following conditions have been met:~~

- ~~(a) Applicants shall provide proof of compliance of providing notice to all property owners within 250 feet of the proposed location.~~
- ~~(b) Applicant shall also provide a presentation to the applicable area commission or civic association, if established, that shall include the following information:
  - ~~(i) an introduction of the company along with background, anticipated earliest opening date, operating hours and days of the week, and an emergency contact name and number.~~~~

**SECTION 12.** That prior existing sections 3303.05, 3303.06, 3303.15, 3353.03, 3356.03, 3363.08, 3365.08, 3367.08, and 3387.01 of the Columbus City Codes are hereby repealed.



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**SECTION 13.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.