

VILLAGE OF HOLLAND, LUCAS COUNTY, OHIO
ORDINANCE NO. 6-2025

**AN ORDINANCE ADOPTING RULES AND REGULATIONS RELATED TO DISPENSARIES
OF ADULT USE CANNABIS, MEDICAL MARIJUANA, AND OTHER CANNABIS-RELATED
PRODUCTS.**

WHEREAS, the Village of Holland is a charter municipality located in Lucas County, Ohio, with powers of local self-government pursuant to Ohio Constitution Article XVIII, section 3, including the power to enact planning and zoning laws, and

WHEREAS, the Village of Holland has adopted the Village of Holland, Ohio, Zoning Ordinance and corresponding map, (the “Ordinance”), for the general purpose of promoting the public health, safety, comfort and welfare of the residents of the Village of Holland, to protect and promote public health, safety, convenience, comfort and general welfare of the village and its residents; to prevent overcrowding; to conserve and protect property and facilitate adequate but economical provision of public improvements; to avoid congestion in the public streets and highways; and for any other purpose as set forth in the Ordinance, and

WHEREAS, the electors of the State of Ohio, by initiative petition, have approved adult use cannabis in the State of Ohio. Adult use cannabis legislation has been codified at chapter 3780 of the Ohio Revised Code and administrative rules have been established at 1301:18 of the Ohio Administrative Code, subject to additional legislative and administrative rules and regulations yet to be adopted, and

WHEREAS, the Village of Holland has reviewed Ohio law, current and anticipated, to further understand the impact of cannabis cultivators, processors and dispensaries on the Village of Holland, and has considered reasonable regulations as to the size, number, and location of adult use cannabis cultivators, processors and dispensaries, and

WHEREAS, the Village of Holland Planning Commission certified to the Village Council a recommendation for a moratorium on new establishments proposing to cultivate, process or dispense cannabis in the Village, and

WHEREAS, this Council timely held, after properly published notice, a public hearing to consider the recommended moratorium, and adopted an ordinance enacting a moratorium on new establishments proposing to cultivate, process, or dispense cannabis in the Village, and

WHEREAS, said moratorium shall expire early, 2025, and

WHEREAS, the Village of Holland Planning Commission has certified to the Village Council, by motion at a meeting open to the public, rules and regulations related to the establishment of adult use cannabis dispensaries and establishments proposing to cultivate, process, or dispense adult use cannabis, medical marijuana and other cannabis-related products.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Holland:

1. Section 2802 of the Village of Holland Zoning Ordinance presently reads as follows:

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SECTION 2802 Medical Marijuana

The cultivation, processing or retail dispensing of marijuana for medical, or any other purposes, is prohibited in all zoning districts of the Village of Holland. For purpose of this section, "medical marijuana" shall have the same meaning as it is defined in section 3796.01(A)(2) of the Ohio Revised Code, effective September 8, 2016

2. Section 2802 of the Village of Holland Zoning Ordinance is repealed and replaced as follows:

SECTION 2802 Adult Use Cannabis and Medical Marijuana

Any Person proposing to cultivate, process, or dispense, at retail or wholesale, Adult Use Cannabis or Medical Marijuana shall conform to all rules, restrictions and laws of the Village of Holland and the State of Ohio.

3. In addition to those terms defined at ORC 3780.01 and OAC 1301:18, which are incorporated herein, the following terms shall be included in Chapter 2200 of the Village of Holland Zoning Ordinance:

"Adult use cannabis " or "cannabis " or "marijuana" means marihuana as defined in section [3719.01](#) of the Revised Code.

"Adult use cannabis operator" means 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.

"Adult use consumer" means an individual who is at least twenty-one years of age.

"Adult use dispensary" means a person licensed pursuant section [3780.15](#) of the Revised Code, this chapter and any rules promulgated thereunder to sell adult use cannabis as authorized.

"Advertising" means any written or verbal statement, illustration, or depiction created to induce sales through the use of or a combination of letters, pictures, objects, lighting effects, illustrations, videos, sounds, or other similar means. "Advertisement" includes brochures, promotional and other marketing materials consistent with section [3780.21](#) of the Revised Code.

"Applicant" means an individual or person who files an application for a license pursuant to the Holland Zoning Ordinance.

"Certificate of operation" means a certification of operation or license issued by either the department of commerce or the state board of pharmacy to a person pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

"Confidential information" means information that is not a public record for purposes of section [149.43](#) of the Revised Code.

"Cultivate" means to grow, harvest, package, and transport adult use cannabis pursuant to the Holland Codified Ordinance and the Ohio Revised Code.

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"Cultivation facility" means a facility where an adult use cultivator or a level III adult use cultivator is authorized to operate.

"Dispensary" means a person who has a certificate of operation to operate a dispensary under Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

"License" means 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.

"License applicant" means an individual or person who applies for a license under the Holland Zoning Ordinance or the State of Ohio.

"License holder" or "Licensee" means an adult use cannabis operator, adult use testing laboratory or an individual who is licensed under the provisions of chapter 3780 of the Revised Code.

"Marijuana" means marihuana as defined in section [3719.01](#) of the Revised Code.

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

"Medical provisional license" means a provisional license issued by either the department of commerce or the state board of pharmacy to a person pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

"Paraphernalia" means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body.

"Person" includes, but is not limited to, an individual or a combination of individuals; a sole proprietorship, a firm, a company, a joint venture, a partnership of any type, a joint-stock company, a corporation of any type, a corporate subsidiary of any type, a limited liability company, a business trust, or any other business entity or organization; an assignee; a receiver; a trustee in bankruptcy; an unincorporated association, club, society, or other unincorporated entity or organization; entities that are disregarded for federal income tax purposes; and any other non-governmental, artificial, legal entity that is capable of engaging in business.

"Processor" means a person who has been issued a processing certificate of operation pursuant to Chapter 3796 of the Revised Code and Chapter 3796 of the Administrative Code.

"Prohibited facility" means any church, public library, public playground, public park, or school, as defined in section [3796.30](#) of the Revised Code.

"Provisional license" means a temporary license issued to an applicant for an individual license that

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establishes the conditions that must be met by the licensee before the individual is issued a license in accordance with the requirements and conditions set forth in chapter 3780 of the Revised Code and the rules adopted thereunder.

4. An Adult Use Dispensary or a Medical Marijuana Dispensary or other such establishment or Person engaged in the wholesale or retail sale, cultivation, processing or dispensing of Adult Use Cannabis or Medical Marijuana shall be limited to zoning districts B-1 and B-2 as Conditional Uses therein, in accordance with the Village of Holland Zoning Ordinance and Zoning Map. Section 2821 Limited Business District (B-1) and Section 2822 General Business District (B-2) shall be amended to include each such use as a Conditional Use.
5. There shall be added to the Village of Holland Zoning Ordinance Section 2980, as follows:

*SECTION 2980 Conditions for Adult Use Dispensary, Medical
 Marijuana Dispensary and Cultivation Facility*

1. *Any Adult Use Dispensary, Medical Marijuana Dispensary or Cultivation Facility shall comply with all laws and regulations of the State of Ohio and the Village of Holland Zoning Ordinance.*
 2. *Any Adult Use Dispensary, Medical Marijuana Dispensary or Cultivation Facility shall comply with the Village of Holland Exterior Property Maintenance Code of the Village of Holland.*
 3. *No Adult Use Dispensary or Medical Marijuana Dispensary or Cultivation Facility shall be located within 500 feet of a Prohibited Facility. Nor may any Person engage in the wholesale or retail sale of Paraphernalia, or the wholesale or retail sale, cultivation, processing or dispensing of Adult Use Cannabis, Medical Marijuana or Marijuana within 500 feet of a Prohibited Facility.*
 4. *No Advertisement containing merchandise or pictures of the products or of product use on the premises of an Adult Use Dispensary, a Medical Marijuana Dispensary, a Cultivation Facility, or a Paraphernalia retail or wholesale establishment shall be displayed on signs, in window areas or any area where they can be viewed from the sidewalk, street or public way. No sign shall bear any image depicting or describing Marijuana or Paraphernalia.*
 5. *Any Adult Use Dispensary, Medical Marijuana Dispensary, a Cultivation Facility, or a Paraphernalia retail or wholesale establishment located adjacent to a residential district shall install and maintain a privacy fence of not less than six feet in height designed to shield such Dispensary from view of residence(s). Any such fence shall be subject to Planning Commission approval.*
 6. *No Adult Use Dispensary, Medical Marijuana Dispensary, or Paraphernalia retail or wholesale establishment shall be open between the hours of 11:00pm and 6:00am.*
 7. *Any Person engaged in the wholesale or retail sale of Adult Use Cannabis or Medical Marijuana shall be a License Holder and shall maintain a License and a Certificate of Operation*
6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of

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this Council and of any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Vote on passage: _____ Ayes _____ Nays _____ Abstain

Passed this _____ day of _____, 2025.

Scott Brown, President of Council

Attest:

Approved:

Jacquelyn Krasula, Clerk-Treasurer

Ryan Spangler, Mayor