

This Public Hearing was called to order on Monday, January 8, 2024 at 7:08 p.m. by Steve Michniak, Council President.

PRESENT: Justin Ring, Jon Hannan, Anthony Lombardo, Lisa McDaniel, Marianne Glenn, Jennifer Wagner, Steve Michniak

ABSENT: None.

ALSO PRESENT: Glenn Broska, Mayor
Frank Beni, Law Director
Patricia Wain, Police Chief
Rob Reinholz, Fire Chief
Matt Miller, Finance Director [joined the meeting at 7:13 p.m.]
Bill Miller, Service Director
Justin Czekaj, Municipal Engineer
John Cieszkowski, Planning Director
Patrick O'Malia, Economic Development Director
Greg Mytinger, Parks and Recreation Director
Shawna Lockhart-Reese, HR Manager
Matt Coffman, IT Network Administrator
Melissa Procop, Mayor's Executive Assistant
Caroline Kremer, Clerk of Council

T-7519 Proposed Zoning Text Amendments regarding Hotels/Places of Transient Accommodation, Car Washes, and Recreational Marijuana Facilities

Mr. Michniak opened the floor for comments. Mary Kay Reynolds, 9174 Olga Avenue, said she supported the proposal. She said people had to go through Streetsboro to get to other towns and that was a good thing, but Streetsboro had a lot to offer here. She said Streetsboro wanted the passers-by to stop and visit Streetsboro, but the City needed to have a better diversity to attract the visitors and only having three of each (car washes, chicken places, etc.) would give better support to the ones already established because more would draw customers away from each which could lead to failures and closures and empty buildings. She said, "Take care of what you have and it will last."

Mr. Ring expressed some concerns with the proposal. He had mentioned at the last meeting, as did Mr. Michniak, that Section 1132.02 AA 3 (pg. 4) that mentioned adding "adult use cannabis" dispensaries be banned in multi-tenant structures be removed from the legislation because it was just a chilling effect because there were not a lot of freestanding places available within the distances they need to be from churches, school, parks, etc. He didn't like that it was a way to not allow the dispensaries while saying the City was allowing them. As Mr. Michniak had said at a previous meeting, the Ohio voters had spoken on what they wanted. He had checked the vote results for Streetsboro and this issue had passed 67.5% to 32.5%; it did not fail in one precinct in Streetsboro. The previous security concerns for the medical facilities were still there and if they decided to locate in a multi-tenant building, they would have to modify the building to meet State security code. Removal of that line was his first suggestion to amend this legislation.

Mr. Michniak supported the suggestion. He had been surprised by how much the issue had passed in Streetsboro; a supermajority of almost 70%. He also suggested removing the marijuana prohibitions within the City Code. It was time to do that; it was a legal substance. He said, it was as if Streetsboro was a dry town and prohibited possession of alcohol because the Streetsboro Code currently said a person could not possess marijuana. He thought the Code should be changed to make it look more like whatever reasonable use restrictions the City had regarding alcohol.

Mr. Ring addressed another concern he had on page 1 of the proposed ordinance regarding 1103.02 (51). He didn't like that the definition of guest living quarters would be changed to exclude living quarters that are on second floors of private garages or barns. He thought there were a number of those in town and people used them when family came to visit. He didn't want to make those families criminals when they have had these arrangements for years; he didn't think it hurt anything to have them and wanted to revert the definition back to the way it was. It already prevented those types of quarters from being rented, which was one of the biggest things the City wanted to prevent.

Mr. Ring had talked with Mr. Cieszkowski about Airbnb's because he had a few concerns with that too. He didn't think Council would be able to make enough changes tonight in order to allow them. Right now, any Airbnb's that were in town, were already illegal by not meeting the Code, so removing the things that were proposed that would have impact on the Airbnb's would not change anything, they would still be illegal. He thought Council should focus on not butchering the proposal in front of Council in order to kind of make them legal, but to direct the Planning Director to write new definitions and new code for those types of places/establishments. Mr. Ring wanted to see the Planning and Zoning Department create definitions and zoning requirements for peer-to-peer rental places. He wasn't sure it would be appropriate in R-2 or R-3 zoning districts where the density was very tight, but in an R-R or maybe R-1 zoning district it might be appropriate, and should be debated and discussed to be added to the Code if the City wanted to allow such places in town.

Mrs. McDaniel agreed that made sense; she felt the City should have some provisions for peer-to-peer type rental arrangements. She asked for clarification about Mr. Ring's suggestions about the medical marijuana and adult-use cannabis. He said he wanted to remove 1132.02 AA 3 (pg. 4) to allow medical marijuana and adult use cannabis dispensaries in a plaza, not just a free-standing building. Mr. Cieszkowski asked for further clarification: that same subsection also prohibited those facilities in areas subject to an integrated development plan (i.e. Streetsboro Commons and Streetsboro Crossing), but Mr. Ring's suggestion to remove all of subsection 3 would then open up those two areas to the medical marijuana and adult-use cannabis facilities. Mr. Ring said he didn't have an issue with these facilities in those plazas. Mrs. Glenn agreed with Mr. Ring.

Mr. Hannan said the last time the marijuana issue was discussed the limit of two medical marijuana and adult-use cannabis dispensaries was discussed. He asked Council if that was to stand or be changed at this discussion. Mr. Ring said it was discussed that there were only 50 licenses available at the state level (and there were 88 counties) so it might be unlikely to get two dispensaries in town anyway. It could be revisited later if the City got two dispensaries and then there was still a big demand; but Streetsboro may not get any if the big cities have multiple requests.

Mr. Michniak wondered if it would take another vote of the entire state's population to change the number of licenses from 50, or if the state legislature could make that change in the future. Mr. Ring thought the state legislature could change that number if they wanted. Mr. Ring suggested leaving it at two to start so Streetsboro would not get a lot, but it could always be changed in the Streetsboro Code later if needed.

Mr. Michniak asked if a local tax could be applied to the marijuana sales. Mr. O'Malia said if and when Streetsboro would receive a dispensary, there was opportunity for the cities to receive additional tax revenue; it had been included in what the voters had passed. The state legislature was making tweaks to the rate. He thought what had been passed had been for medical marijuana and the regulations were being governed by, he thought, the Pharmacy Board, but there may be a new Board created to deal with marijuana in general, but it was all in flux at the moment.

Mr. Michniak asked if this Public Hearing was the time to make any amendments. Mr. Cieszkowski said he had just needed some consensus from Council either here in the Public Hearing or during the second reading in the Regular Council Meeting later tonight so he could present any wanted changes for the third reading scheduled for January 22, 2024. He felt Council had given some very specific directives on what sections to change. Once the ordinance was adopted, maybe Council could do a separate motion to direct the Planning Department to draft specific peer-to-peer vacation rental regulations, which could be drafted, then reviewed by the Planning Commission, who would make a recommendation to City Council, the same as any other zoning text amendment.

Mr. Michniak said a few Council Members had spoken up, but he wanted to hear from more members to get a consensus. Mr. Lombardo said he agreed with everything that was brought up and mentioned about this legislation and felt it made sense. Ms. Wagner had nothing to add. Mr. Cieszkowski would work with the Law Department to incorporate Council's suggestions prior to the third reading. There were no comments from the public at this point.

There being no further business to be addressed during this Public Hearing, and upon motion by Mr. Ring, seconded by Mr. Hannan, this meeting adjourned at 7:29 p.m.

ATTEST:

Caroline L. Kremer, Clerk of Council

Steve Michniak, President of Council