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## **CHAPTER 1136. AGE RESTRICTED RETAIL SALES**

### **1136.01. Purpose.**

Age Restricted Retail Sales regulations are established to limit the proximity of age restricted retail sales establishments in relation to places and locations that youth and young adults below legal purchasing age frequent.

### **1136.02. Relevant complementary chapters.**

<b>Title</b>	<b>Chapter</b>
Definitions	1102
Conditional Uses	1105
Signage	1125
Procedures (for approval)	1105
Schedule of Permitted Uses	Appendix A

### **1136.03. Age restricted retail sales declared a conditional use.**

Age restricted retail sales may be conditionally permitted in all districts where retail sales are permitted. The Planning Commission shall review and either approve or deny the Conditional Use request prior to the application of a Certificate of Building and Zoning Compliance in the Planning and Community Development Department.

- (a) Medical marijuana and adult use cannabis dispensaries shall be required to produce documentation of pre-qualification from state agencies with their request for conditional use approval.

### **1136.04. Proximity to certain other uses or locations.**

- (a) Proximity to youth-oriented facilities. No Certificate of Building and Zoning Compliance may be issued, and no existing use may be expanded if located within 500 feet of the boundaries of a parcel of real estate having situated on it a school, church, public library, public playground, or public park as defined in sections 3796.30 and 3780.01 (35) of the Ohio Revised Code.
- (b) Proximity to other age restricted retail sales establishments. No Certificate of Building and Zoning Compliance may be issued for any age restricted retail sales establishment within one (1) mile of the same use.
  - 1) For the purpose of subsection (a) and (b) of this section, measurement shall be made in a straight line, without regard to the intervening structure, topography, or objects, from the nearest portion of the building or structure used as the part of the premises where an age restricted retail sales establishment is located, to the nearest property line of the premises of a use listed in the subsection (a) and (b). Presence of a city, county or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this Section.

### **1136.05. Existing age restricted retail establishments.**

- (a) Any existing age restricted retail sales establishment shall be allowed to continue in operation as it was on the date prior to November 14, 2024. Where a lawful retail establishment exists at the effective date of adoption or amendment of this Zoning Ordinance that could not now be located under the terms of this Ordinance by reason or restrictions on proximity to other Age Restricted Retail Establishments may be continued so long as it remains otherwise lawful.

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- (b) If an existing establishment is to be expanded, any expansion shall comply with the provisions within this Chapter.
- (c) An existing establishment shall be considered to have stopped operations if it does not renew any licensure or registration that is required by the State of Ohio for the location related to age restricted retail sales, or if the use is discontinued for one 365-day continuous period. The fact that the ownership of a business is transferred does not constitute the ceasing of that business if an applicable valid license or registration is maintained for that location.

**1136.06. Signage and outdoor activity.**

Permanent signage shall be limited to the allowed signage set forth in the zoning district of the age restricted retail sales establishment. Additional signage and outdoor activity limitations are as follows:

- (a) No temporary signage of any kind (including but not limited to banners, yard signs, pennants, wind feathers, balloons, etc.) shall be permitted to be displayed on the property.
- (b) Window signage shall be limited to 25% of total window area and no more than 50% of any one window pane and must be located on the interior of the window. Additionally, no signs shall be animated or flashing and illuminated window signage shall be limited to no more than two (2) signs per establishment.
- (c) LED, neon tubing, and/or fiber optics shall be prohibited for signage or building accent features.
- (d) There shall be no outdoor display of any kind, nor shall any activities related to the age restricted retail sales establishment occur outside of a fully enclosed building.
- (e) Signage restrictions apply to all current and future age restricted retail establishments.

**1136.07 Additional requirements.**

- (a) Walk-up windows shall be prohibited.
- (b) The onsite consumption of any products sold on the premises shall be prohibited except for the consumption of tobacco products within tobacco lounges.
- (c) Metal bars or gates may not be used on windows or doors.