

ORDINANCE No. 20-3

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 10 – ZONING REGULATIONS CH 17 – TABLE OF USES ALLOWING CANNABIS PRODUCTION ESTABLISHMENTS AND MEDICAL CANNABIS PHARMACY AS PERMITTED USES. CH 31 – DEFINITIONS

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 10 – Zoning Regulations CH 17 – Table of Uses allowing Cannabis Production Establishments and Medical Cannabis Pharmacy as permitted uses. CH 31 – Definitions

WHEREAS, the Roy City Council finds that the modifications regulating the proposed changes will be of benefit and use in enhancing and increasing long-term viability of development within commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended an amendment to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 10 – Zoning Regulations CH 17 – Table of Uses allowing Cannabis Production Establishments and Medical Cannabis Pharmacy as permitted uses. CH 31 – Definitions

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

ADD

10-17-1 **Table of Uses:**

TABLE 17-2 - TABLE OF ALLOWED USES - NON-RESIDENTIAL ZONING DISTRICTS

P = Permitted Use; C = Conditional Use; T = Temporary Use; X = Use Prohibited in the Zoning District (Zone)
 A Use that is not identified in the Table of Uses is hereby determined to be a Prohibited Use within Roy City.

CC = Community Commercial
 M = Manufacturing

RC = Regional Commercial
 BP = Business Park

LM = Light Manufacturing
 R = Recreational

USE	CC	RC	LM	M	BP	R
Cannabis Production Establishments. Cannabis Production Establishments may not be located closer than six hundred (600) feet to any residential zone and one thousand (1,000) feet from any community location. Shall be conducted within an enclosed building and be designed to filter inside air exchanges the outside through air filter systems that remove odors before exiting the building.	N	N	N	P	N	N
Medical Cannabis Pharmacy. Medical Cannabis Pharmacy may not be located closer than six hundred (600) feet to any residential zone and two hundred (200) feet from any community location. Shall also meet the following: 1. Shall have one (1) entry door at the front of the building facing the street 2. Hours of operation are limited between 8 a.m. to 8 p.m.	P	P	P	P	P	N

Cannabis: all species of the genus cannabis and all parts of the genus, whether growing or not; the seeds of it; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from them, fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination. Any synthetic equivalents of the substances contained in the plant cannabis sativa or any other species of the genus cannabis which are chemically indistinguishable and pharmacologically active are also included.

Cannabis Cultivation Facility: a person that:

1. possesses cannabis;
2. grows or intends to grow cannabis; and
3. sells or intends to sell cannabis to a cannabis cultivation facility or to a cannabis processing facility.

Cannabis Processing Facility: a person that:

1. possesses cannabis; acquires or intends to acquire cannabis from a cannabis production establishment or a holder of an industrial hemp processor license under Utah State Code Title 4, Chapter 41, Hemp and Cannabinoid Act;
2. possesses cannabis with the intent to manufacture a cannabis product;
3. manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and
4. sells or intends to sell a cannabis product to a medical cannabis pharmacy or the state central fill medical cannabis pharmacy

Cannabis Product: a product that:

1. is intended for human use; and
2. contains cannabis or tetrahydrocannabinol.

Cannabis Production Establishment: is also a Cannabis Cultivation Facility, a Cannabis Processing Facility, or an Independent Cannabis Testing Laboratory.

Independent Cannabis Testing Laboratory: a person that:

1. conducts a chemical or other analysis of cannabis or a cannabis product; or
2. acquires, possesses, and transports cannabis or a cannabis product with the intent to conduct a chemical or other analysis of the cannabis or cannabis product.

Community Location: a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park.

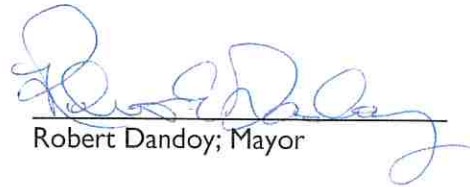
Medical Cannabis Pharmacy: a person that:

1. a. acquires or intends to acquire:
 - i. cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage form from a cannabis processing facility; or
 - ii. a medical cannabis device; or
- b. possesses cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device; and
2. sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device to a medical cannabis cardholder.

This Ordinance has been approved by the following vote of the Roy City Council:

Councilmember Burrell	<u>ABSENT</u>
Councilmember Jackson	<u>Aye</u>
Councilmember Paul	<u>Aye</u>
Councilmember Saxton	<u>Aye</u>
Councilmember Wilson	<u>Aye</u>

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this 1 day of January, 2020.


Robert Dandoy; Mayor

Attested and Recorded:


Morgan Langholf; City Recorder

