

ORDINANCE 19-37

AN ORDINANCE AMENDING TITLE 19, CHAPTER 19.02, SECTION 19.02.020 "DEFINITIONS", BY ADDING "CANNABIS PRODUCTION"; AMENDING CHAPTER 19.06 "LAND USE REGULATIONS", BY ADDING SECTION 19.06.250 "CANNABIS PRODUCTION"; AND AMENDING TABLE 6-1 AND 6-2 "TABLE OF LAND USE REGULATIONS", TO INCLUDE "CANNABIS PRODUCTION"; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

WHEREAS, §4-41a-406 of Utah Code Annotated (as amended) authorizes municipalities to establish locations permitted for cannabis production; and

WHEREAS, in a review of Title 19 "Zoning" of Layton Municipal Code (LMC) it was determined that an update is needed due to changes in State regulations and terminology; and

WHEREAS, the City desires to keep its business regulations and licenses current with State law requirements to protect both the interests of the City and its residents, and to improve the overall efficiency of the review and approval processes for cannabis production businesses; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Title 19 of Layton Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Title 19, Chapter 19.02, Section 19.02.020 "Definitions" shall be amended to read as follows:

19.02.020 Definitions

...

"Cannabis Production": means a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory, as those terms are defined in §4-41a of Utah Code (as amended).

...

SECTION III: Enactment. Title 19, Chapter 19.06 "Land Use Regulations" shall be amended to read as follows:

...

19.06.250 Cannabis Production

- 1. General.** Cannabis Production shall only be allowed as a permitted use in areas zoned M-2 (Heavy Manufacturing/Industrial) and shall not be allowed as a Temporary or Seasonal Use. Cannabis Production shall meet all statutory and regulatory requirements, including those contained in §4-41a of Utah Code (as amended).

SECTION IV: Enactment. Title 19, Chapter 19.06, Table 6-1 and 6-2 “Table of Land Use Regulations” shall be amended to read as follows:

TABLE OF LAND USE REGULATIONS																			
TABLE 6-1											TABLE 6-2								
A	R-S	R-1-6	R-1-8	R-1-10	R-MH	R-2	R-M1	R-M2	R-H	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	MU	MU-TOD
INDUSTRIAL AND RELATED USES																			
Animal or Fowl Slaughter																			P
Cannabis Production																			P
Chemical & Plastic Manufacturing																			P
Contractor Storage Yard																P			P
Extraction of Soil, Sand, Gravel, Minerals, Gas, Petroleum, or Similar																			P

SECTION V: Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: Effective Date. This ordinance shall become effective immediately upon publication or posting.

PASSED AND ADOPTED by the City Council of Layton, Utah, this **21st** day of **November**, 2019.



Scott Freitag

 SCOTT FREITAG, Mayor

ATTEST:

Kimberly S Read

 KIMBERLY S READ, City Recorder

SCANNED
 10/23/2019