

CHAPTER 37

MEDICAL CANNABIS FACILITIES

Section

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37 - 1. Purposes.

This chapter is intended to accomplish the following purposes:

- (1) To allow for the specific uses outlined in this chapter in addition to the uses allowed for in the underlying zones.
- (2) To establish areas in the county that allow cannabis production facilities and medical cannabis pharmacies in zones deemed appropriate for those uses.
- (3) To provide accommodation for uses required by state law while protecting the health, safety and general welfare of Tooele County residents.
- (4) To obtain and maintain consistency with state law.
- (5) To control the sale, production, cultivation and testing of cannabis so that said uses comply with state law. (Ord. 2022-34, 12/6/22)

37 - 2. Definitions.

Certain terms used in this chapter are defined in Chapter 2 (Definitions) of the Tooele County Land Use Ordinance. Other terms are defined in the Utah Medical Cannabis Act and the Utah Cannabis Production Establishments Act. (Ord. 2022-34, 12/6/22)

37 - 3. Cannabis production establishment standards.

The following standards shall apply to all cannabis production establishments:

- (1) Each cannabis production establishment shall comply with the location restrictions set forth in applicable state law and this chapter.
- (2) Each cannabis production establishment shall comply with the advertising and signage restrictions set forth in applicable state law.
- (3) Processing facilities, testing laboratories, and greenhouses used for cultivation of cannabis shall be in entirely enclosed buildings which are designed, constructed and operated to prevent the emission of dust, fumes, vapors, odors, or waste into the environment.
- (4) Outside cultivation of cannabis must be entirely enclosed within a seven-foot solid visual barrier fence, with barbed wire and other security features included.
- (5) Each cannabis production establishment shall meet the land use and permit requirements for the zone in which it is located.
- (6) Each cannabis production establishment shall obtain a county business license before conducting business within the county. (Ord. 2022-34, 12/6/22)

37 - 4. Cannabis production establishment location restrictions.

- (1) No cannabis production establishment may be located within 1,000 feet of a community location.

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(2) No cannabis production establishment may be located within 600 feet of a primarily residential zone.

(3) These proximity requirements shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or primarily residential zone. (Ord. 2022-34, 12/6/22)

37 - 5. Medical cannabis pharmacy standards.

The following standards shall apply to all medical cannabis pharmacies:

(1) Each medical cannabis pharmacy shall comply with the location restrictions set forth in applicable state law and this chapter.

(2) Each medical cannabis pharmacy shall comply with the advertising and signage restrictions set forth in applicable state law.

(3) No cannabis products shall be visible from outside the medical cannabis pharmacy.

(4) Each medical cannabis pharmacy shall meet the land use and permit requirements for the zone in which it is located.

(5) Each medical cannabis pharmacy shall obtain a county business license before conducting business within the county.

(6) Cannabis products shall only be sold in a medicinal dosage form and shall only be sold to medical cannabis cardholders.

(7) Medical cannabis devices shall only be sold to medical cannabis cardholders.

(8) Outdoor seating areas are not allowed.

(9) Outdoor vending machines are not allowed.

(10) Any retail delivery service shall comply with all applicable ordinances and state laws regarding cannabis.

(11) Hours of operation are limited to 7:00 a.m. through 10:00 p.m. (Ord. 2022-34, 12/6/22)

37 - 6. Medical cannabis pharmacy location restrictions.

(1) No medical cannabis pharmacy may be located within 1,000 feet of a community location.

(2) No medical cannabis pharmacy may be located within 600 feet of a primarily residential zone.

(3) These proximity requirements shall be measured from the nearest entrance to the medical cannabis pharmacy by following the shortest route of ordinary pedestrian travel to the property boundary of the community location or primarily residential zone. (Ord. 2022-34, 12/6/22)