

CURALEAF CHAPTER 12 DEVELOPMENT CODE AMENDMENT CITY COUNCIL REPORT

Applicant	Curaleaf
Meeting Date	May 11, 2021
Requested Action/Purpose	Approval of a proposed amendment to the Lehi City Development Code
Date of DRC Review	March 24, 2021
Date of Planning Commission Review	April 22, 2021
REQUIRED ACTION	
Planning Commission	Review and recommendation
City Council	Final approval

APPLICABLE DEVELOPMENT CODE REGULATIONS

Section 04.060. Criteria for Approval.

No amendment to this Code, or the Zoning District Map(s), may be recommended for approval by the Commission nor approved by the City Council unless such amendment or conditions thereto are consistent with the General Plan. In considering a Code amendment, or Zoning District Map(s) amendment, the applicant shall identify, and the City Staff, DRC, Commission, and the City Council may consider the following factors, among others:

1. The effect of the proposed amendment on the character of the surrounding area;
2. Consistency with the goals and policies of the General Plan.
3. Consistency and Compatibility of the proposed zone with the General Plan land uses of nearby and adjoining properties.
4. The suitability of the properties for the uses requested and their suitability for the existing uses identified by the General Plan;
5. Whether a change in the uses allowed for the affected properties will unduly affect the uses, or proposed uses for nearby and adjoining properties;
6. The gain to the public health, safety and welfare from the existing classification to the proposed amendment; and
7. The overall community benefit of the proposed amendment.

REPORT ANALYSIS

The applicant requests review and approval of a Development Code amendment to Chapter 12 to remove the ban on drive-thru facilities for cannabis medical pharmacies. The proposed amendment is consistent with Utah State Code, which allows drive-thru facilities for these types of uses. This amendment would only apply to medical pharmacy regulations and would not apply to other cannabis-related businesses.

The DRC has no comments regarding the Development Code amendment.

PLANNING DIVISION RECOMMENDATION

The Planning Division staff recommends **APPROVAL** of the proposed Curaleaf Chapter 12 Development Code Amendment. The recommendation is based on the following findings:

1. The proposed amendment would be consistent with Utah State Code.
2. The proposed amendment to the Lehi City Development Code is not detrimental to the public health, safety, and welfare of Lehi City.
3. The proposed Development Code amendment is in conformance with the purposes, intent, and provisions of the General Plan and its various elements.
4. Additional findings based upon information presented during the public hearing.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the proposed amendment on April 22, 2021. The minutes and motion from this meeting are as follows:

3.2. Public hearing and recommendation of Curaleaf’s request for review of a Development Code amendment to Chapter 12, amending the regulations specific to medical pharmacies with distribution of cannabis to allow drive-thru facilities.

Jacob presented information on the agenda item.

The Applicant was not present.

Commissioner Nielsen opened the public hearing for comment.

There were no public comments.

Commissioner Nielsen closed the public hearing.

Motion: Commissioner Peterson moved to send a positive recommendation of **Curaleaf’s request for review of a Development Code amendment to Chapter 12, amending the regulations specific to medical pharmacies with distribution of cannabis to allow drive-thru facilities**, including all findings stated in the report. Commissioner Eyre seconded.

Vote: Commissioner Nielsen, yes; Commissioner Everett, yes; Commissioner Hemmert, yes; Commissioner Peterson, yes; Commissioner Bunker, yes; Commissioner Hereth, yes; Commissioner Eyre, yes. The motion passed unanimously.