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City of Washington Terrace

Minutes of a Regular Planning Commission Meeting held on
Thursday, November 14, 2019
City Hall, 5249 South 400 East, Washington Terrace City,
County of Weber, State of Utah

12 **PLANNING COMMISSION AND STAFF MEMBERS PRESENT**

13 Chairman Scott Larsen
14 Commissioner Dwight Henderson - excused
15 Commissioner Darren Williams
16 Commissioner Dan Johnson - excused
17 Commissioner T.R. Morgan - excused
18 Commissioner Wallace Reynolds
19 Commissioner Charles Allen
20 Chief Building Inspector Jeff Monroe
21 City Recorder Amy Rodriguez

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23 **Others Present**

24 Dan Musgrave, Carter Musgrave

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26 **1. ROLL CALL** **6:00 p.m.**

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28 **2. PLEDGE OF ALLEGIANCE**

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30 **3. WELCOME**

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32 **4. RECURRING BUSINESS**

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34 **4.1 MOTION: APPROVAL OF AGENDA**

Motion by Commissioner Allen
Seconded by Commissioner Reynolds
To approve the agenda
Approved unanimously (4-0)

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40 **4.2 MOTION: APPROVAL OF MINUTES FOR OCTOBER 24, 2019**

Motion by Commissioner Williams
Seconded by Commissioner Allen
to approve the minutes for October 24, 2019
Approved unanimously (4-0)

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46 **5. SPECIAL ORDER**

47 **5.1 PUBLIC HEARING: TO HEAR COMMENT IN SUPPORT AND**

48 **OPPOSITION TO THE PROPOSED ORDINANCE CONCERNING**
49 **MEDICAL CANNABIS REGULATIONS**

50 **Chairman Larsen opened the public hearing at 6:03 p.m.**
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52 Dan Musgrave spoke to the Commissioners concerning medical pharmacies. He stated
53 that the state will let 12 pharmacies open within the state. Three will be located in the
54 area. He stated that he plans to put in an application to open a pharmacy in Washington
55 Terrace. He stated that to enter the pharmacy have to have a yellow card, a prescription,
56 and will need to be buzzed in by staff. He stated that no one can walk in off the street
57 without a legal prescription.

58 Dr. Carter Musgrave stated that he is walking away from his job at a regular pharmacy
59 doctor to open a medical cannabis pharmacy because he has seen first hand the pain and
60 suffering of cancer patients. He stated that medical cannabis is used as a tool for seizures
61 and other illnesses. He stated that you can only get a medical card from a prescribing
62 physician. He stated that it will be highly regulated.

63 He stated that it will be a great improvement for patients in the area.

64 Dr. Carter stated that there are no smoke-able forms allowed in Utah. The product that
65 they will be dispensing will be in capsule form.
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67 **Chairman Larsen closed the public hearing at 6:09 p.m.**
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69 **6. NEW BUSINESS**
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71 **6.1 MOTION/ORDINANCE 19-11: RECOMMENDATION FOR APPROVAL ON**
72 **ORDINANCE CONCERNING CANNABIS REGULATIONS**

73 Monroe stated that the ordinance will follow state guidelines and has been drafted by Bill
74 Morris, the City Planning attorney. Monroe stated that Morris went to a training
75 concerning state law. He stated that the entire law needs to be adopted to cover the
76 cannabis law.

77 Monroe stated zoning has been identified in the ordinance. The business license aspect
78 has also been covered. Monroe stated that we will be in compliance with stated law.

79 Monroe stated that state law has been very detailed in regards to business regulations.

80 Monroe stated that this complies with current zoning regulations.

81 Monroe stated that the Musgraves need to apply for their license before the end of the
82 month.

83 Commissioner Reynolds stated that our ordinance does not contradict any state laws, or
84 current laws that we have now. He asked if we would expect any kind of feedback from
85 residents once the business has been identified. Monroe stated that we have two
86 pharmacies in the city already, noting that the pharmacies have stronger drugs in their
87 possession (i.e. opioids) that might have a bigger impact. Commissioner Williams stated
88 that the biggest issue would be when people are misinformed.

89 Commissioner Allen had some concerns on the state code numbering. Monroe will
90 shorted the numbering so that it is less confusing. He also recommends putting SB 1002
91 “Cannabis Amendments” in the first section.

92 Commissioner Allen had several recommendations concerning distances. Monroe stated
93 that the distances have not been specifically identified in the ordinance because the point
94 of the measurement is hard to define.

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Commissioner Allen recommended that the definition for “community location” have the additional language: “Community Location means a public or private school, preschool, public library, public park, Public playground, and licensed childcare. Commissioner Allen would like to spell out some of the language from the state law instead of just referring back to state law. He asked if we are authorized to look at the state license before we issue a business license. Monroe stated that we issue a temporary license until they received their state license. Commissioner Allen stated that we should not issue a city license until we have verified they have received a state license.

Commissioner Allen had suggestion for an operating plan, stating that persons applying for a cannabis license shall submit a security plan for the safety of patrons. Commissioner Allen wants to make sure that we cover all our bases.

Monroe stated that we will incorporate all the information and changes that Commissioner Allen has brought forth that we can and if Morris cannot incorporate them, Monroe will find out the answers as to why not and let Commissioner Allen know. Commissioner Allen stated that we need a very good security plan. He asked if the City will provide any additional security for this pharmacy. Monroe stated that we do not do anything for the pharmacy across the street, and therefore we cannot do anything special for them. Commissioner Williams stated that he has been in law enforcement for a while and stated that he sees that opioids are by far more susceptible to break-ins than cannabis. Monroe stated that he will review the security measures before he gives occupancy. Dr. Musgrave stated that you have to have a licensed pharmacist 100 percent of the hours that the pharmacy is open. He stated that he will be there 100 percent of the hours. He stated that the security measures will be extensive. He stated that the pharmacy across the street has more street value drugs than he will have. Monroe stated that this business is a permitted use in the City. It is no different than any other pharmacy.

Commissioner Allen asked if we would set their hours. Monroe stated that state law sets the hours of operations for Cannabis hours. Commissioner Allen wants to make sure the hours set are for a reasonable hour that the business and City are both comfortable with.

**Motion by Commissioner Allen
Seconded by Commissioner Williams
To recommend approval on Ordinance 19-11
Concerning cannabis regulations
Approved unanimously (4-0)**

6.2 MOTION: APPROVAL OF 2020 ANNUAL MEETING SCHEDULE

**Motion by Commissioner Reynolds
Seconded by Commissioner Allen
To approve the 2020 Annual Meeting Schedule
Approved unanimously (4-0)**

7. BUILDING AND PLANNING UPDATES

142 Monroe stated that secondary lines are being run on Ridgeline by Pine view Water.
143 Monroe stated that the City has received a lot of calls on the roads.
144 Monroe stated that the Boyer Building is working to get the roof closed before winter.

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148 **8. MOTION: ADJOURN THE MEETING**

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**Motion by Commissioner Reynolds
Seconded by Commissioner Williams
To adjourn the meeting
Approved unanimously (4-0)
Time: 6:50 p.m.**

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Date Approved

City Recorder