



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a design review application for a medical cannabis cultivation operation, located at approximately 1901 S 5100 W, Ogden.

Agenda Date: Wednesday April 6, 2022

Applicant: Mark Gold

Representative: Ryan Arrington

File Number: DR 2022-01

Property Information

Approximate Address: 1901 S 5100 W, Ogden

Project Area: Parking lot expansion area: 1.07 acre

Zoning: Agricultural 2 (A-2 Zone)

Existing Land Use: Commercial Greenhouse

Proposed Land Use: Commercial Greenhouse, and Cannabis Cultivation

Parcel ID: 15-081-0031

Adjacent Land Use

North:	Agricultural	South:	Residential
East:	Residential	West:	Agricultural

Staff Information

Report Presenter: Steve Burton
sburton@co.weber.ut.us
801-399-8766

Report Reviewer: RG

Applicable Ordinances

1. Title 104 Zones Chapter 2 Agricultural Zone (A-2)
2. Title 104 Chapter 1 (Design Review)
3. Title 108 Standards Chapter 7 (Supplemental and Qualifying Regulations)
4. Title 108 Standards Chapter 8 (Parking and Loading Space, Vehicle Traffic and Access Regulations)

Background

The applicant is requesting approval of a design review to operate a medical cannabis cultivation operation. The proposed use will take place in three separate greenhouses. The applicant states in their narrative, that they anticipate minimal impact on adjacent properties. The narrative explains that the cultivation will operate under the existing facility's hours of operation, 6:30 am through 8:30 PM Monday through Friday, with some Saturdays during harvesting. Twenty employees are anticipated to participate in this operation. The following is a synopsis of the proposal's compliance with the County's land use codes.

Synopsis

General Plan: The proposed use is allowed in the Agricultural zones and expands the use of agriculture on the property. If reasonable conditions are imposed on the project, the proposal is in line with the General Plan for this area.

Zoning: The A-2 Zone allows a Cannabis production establishment as a permitted use. There are further requirements for this use in 108-7-34.

108-7-34 states the following:

Sec 108-7-34 Cannabis Production Establishment

In addition to any other site development standard or use regulation, a cannabis production establishment, where allowed by the zone, is governed as follows:

- a) The establishment shall sufficiently clean waste gasses or exhaust air so that no cannabis odor or other foul odor is exhausted.
- b) In the M-1 and M-2 zones, a cannabis production establishment shall not include cannabis cultivation, as defined by state code.
- c) In the A-2 and A-3 zones, the following standards shall apply to the cannabis production establishment:
 - 1) In the A-2 zone, a cannabis production establishment is restricted to only a cultivation facility, as defined by state code.
 - 2) In the A-2 and A-3 zones combined, no more than one cannabis production establishment is allowed to be in operation at any one time.
 - 3) The minimum lot area required is 20 acres.
 - 4) The minimum setback from any lot line is 100 feet.
 - 5) The architectural, landscape, and screening design standards of Title 108 Chapter 2 are applicable to the use.
 - 6) The establishment shall be located on land that has access from a street that meets currently adopted street standards.
 - 7) As defined by state code, if a residential use exists, or is later located within, 500 feet of the facility, the site shall have a six-foot land berm or an eight-foot masonry wall constructed to shield the view of the facility from the residential properties, except where interruption is necessary to provide vehicle access to the facility.
 - 8) Outdoor cultivation of plants, as defined by state code, is prohibited.

The proposal meets, or can meet with conditions, the above listed requirements. The proposal falls under the Utah State Code definition of a cultivation facility (4-41a-102) and cannabis will not be processed or manufactured on this site. This proposal would be the only cultivation facility in the A-2 and A-3 zones combined. The parcel area is 75 acres. The existing greenhouses, in which the operation will take place, are located at least 100 feet from any property line.

The site landscaping requirement of 20 percent is met with the existing plantings and landscaping on site. There is also an existing berm, adjacent to the residential uses, as required by 108-7-34. Currently, the existing buildings are not exposed to public streets. The existing buildings are made of polycarbonate siding. The site is accessed from a portion of 1900 S that meets, or can meet the public works standards through a deferral agreement, or financial guarantee, this will depend on what the County Engineering division requires for conditions of approval.

Design Review: As a permitted use, this operation is allowed in the A-2 Zone. The purpose and intent of design review by the Planning Commission is to secure the general purposes of the design review code and the general plan and to ensure that the general design, layout and appearance of buildings and structures and the development of property shall in no case be such as would impair the orderly and harmonious development of the neighborhood or impair investment in and occupation of the neighborhood.

See the comments below for all applicable design review considerations for the Western Weber area:

- *Considerations relating to traffic safety and traffic congestion.* The applicant's narrative explains that there are 25 parking spaces provided for this operation. The Parking chapter of the land use code allows the Planning Commission to assign an appropriate number of spaces, where this specific use is not listed in the parking table (108-8-4).

- *Outdoor advertising.* There are no signs proposed as part of this operation.
- *Landscaping.* The site contains several landscaped areas, including outdoor plantings for the nursery and xeriscaped areas around the green houses. The existing landscaping meets the minimum requirement of 20 percent of the site area.
- *Buildings and site layout.* The grow operation will take place in the existing buildings that were originally for the normal greenhouse operation. The existing buildings meet the building setback requirements.
- *Utility easements, drainage, and other engineering questions.* Weber County Engineering will have storm water runoff, drainage, and other requirements that will need to be met, as part of the conditions of approval.
- *Prior development concept plan approval associated with any rezoning agreement planned commercial or manufacturing rezoning or planned residential unit development approval.* The proposal does not conflict with any previous design review approvals.

Review Agencies: The County review agencies have not yet reviewed the proposal. Approval of this project is subject to all review agency requirements.

Staff Recommendation

Staff recommends approval of Design Review Application 2022-01 for a medical cannabis cultivation operation located at 1901 S 5100 W, Ogden. This recommendation is based on any review agency comments and the following conditions:

1. The cultivation operation must follow all applicable county and state regulations.

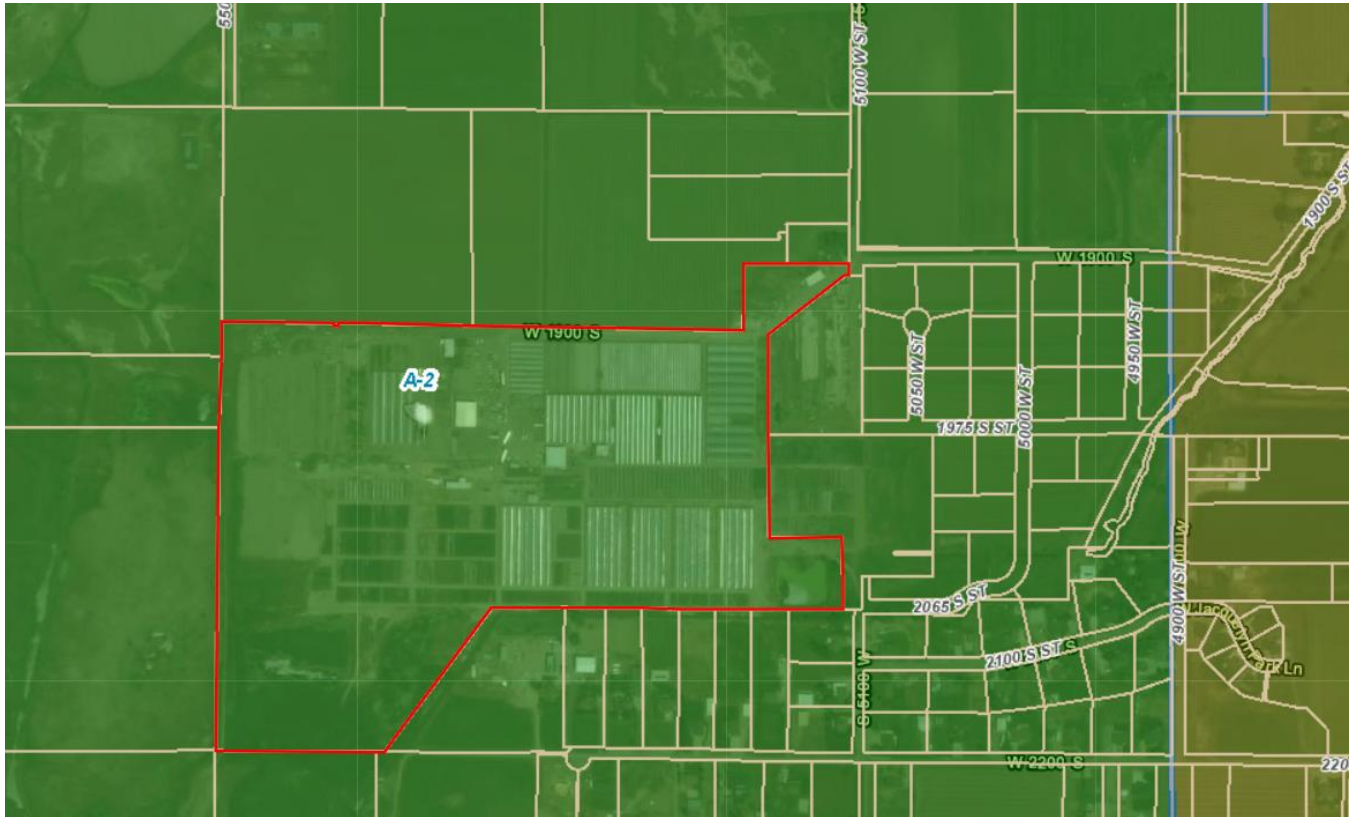
This recommendation is based on the following findings:

1. The proposed use conforms to the Western Weber General Plan.
2. The proposed use is not anticipated to be detrimental to public health, safety, or welfare.
3. The proposed use complies with applicable County ordinances.
4. The proposed use, if conditions are imposed, is not anticipated to deteriorate the environment or negatively impact surrounding properties and uses.

Exhibits

- A. Application narrative
- B. Site Plans
- C. Building Elevation

Area Map



PINEAE GREENHOUSES, INC.
NARRATIVE MEDICAL CANNABIS

Since 1952, Pineae Greenhouses, Inc. (Pineae) has been a Utah family-owned premium quality regional grower of wholesale annuals, perennials, nursery products, and holiday plants. In March 2019, the company was granted a license by the Utah Department of Agriculture and Food to produce industrial hemp cannabis starter plants at its 83-acre property west of Ogden, Utah. Pineae's state-of-the-art automated greenhouse and nursery operation is comprised of 25 acres of greenhouse and 20 acres of nursery production. Pineae has worked closely with Utah State University and many other greenhouse growers from across the country to develop low impact, yet effective, production techniques for industrial hemp cannabis.

As a regional leader in industrial hemp greenhouse and nursery plant production, Pineae is extremely well positioned to use its techniques to assist the State of Utah in meeting the growing patient demand for medical cannabis. While the program continues to develop and mature, licensed medical cannabis cultivators need established and responsible partners like Pineae to meet the medical needs of Utah's patients.

Pineae's staffs between 100-200 full-time employees depending on growing season. During the peak season, from mid-March to early June, Pineae is fully staffed. Hours of operation will vary as well depending on the season. During the peak season, hours will be from 6:30am through 8:30pm. During the off-season, hours will be from 8:00am to 5:00pm.

Pineae's proposed plan to cultivate medical cannabis will have minimal impact on adjacent properties. The three greenhouses (S-3, S-4 and S-4 Extension) proposed to cultivate medical cannabis are self-contained, fully enclosed operating greenhouses with an 8-foot fence along the inside perimeter of each greenhouse. The fence situated inside the greenhouses adds an element of discreetness.

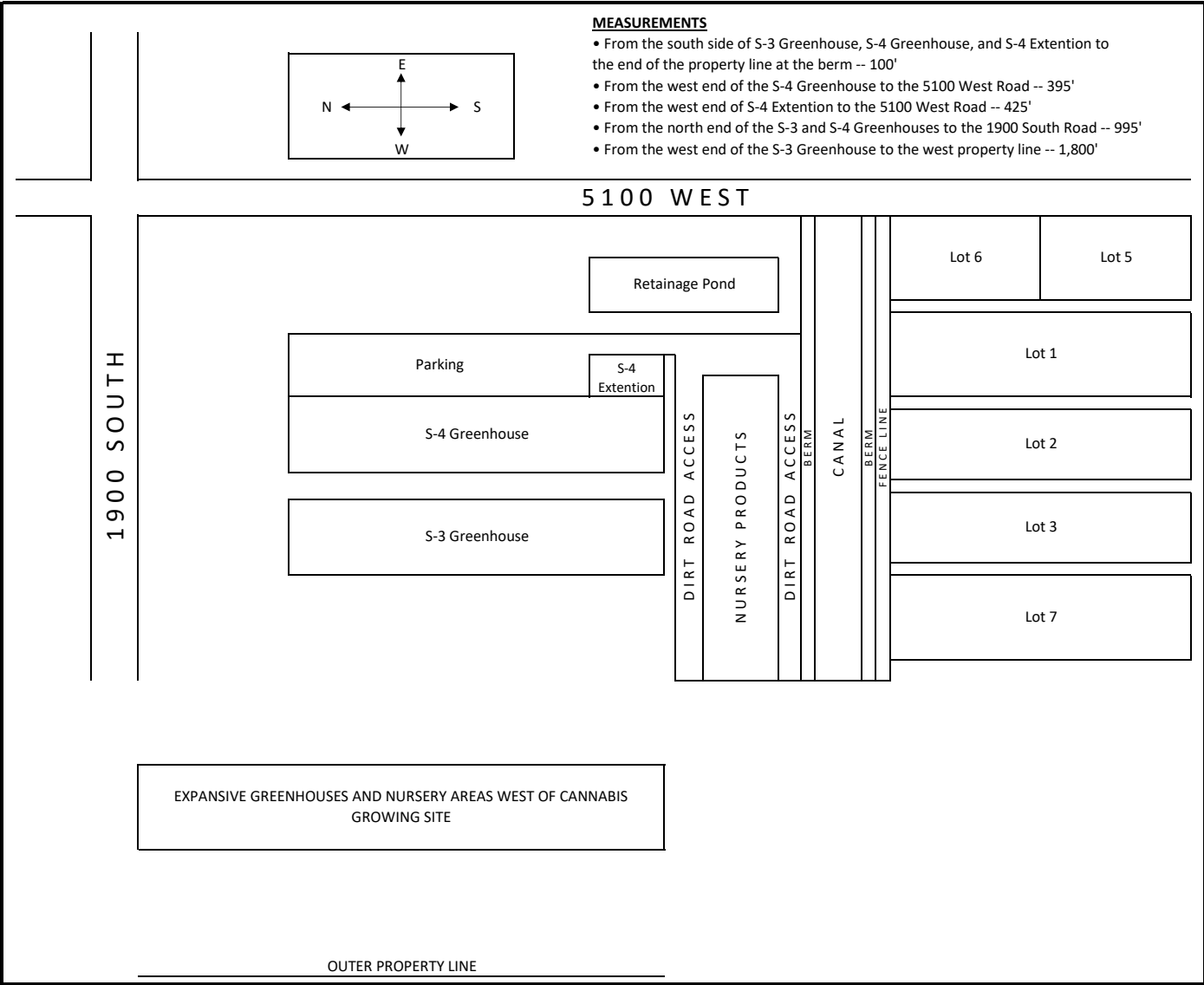
There are two parking areas. The first is next to the Office building. There are 25 parking spaces at that location. The other location is just east next to the S-4 greenhouse. There are 10-15 parking spaces available at that location.

NOTE: please note that we will be working under one of the eight licensees in Utah to cultivate medical cannabis, Standard Wellness. We are requesting that when the approval process is finalized that our site be approved with the official name as the **Standard Wellness/Mountain West Hemp Farms site**, or **Standard Wellness/Pineae Greenhouses, Inc. site**. Mountain West Hemp Farms is owned by common ownership as with Pineae Greenhouses, Inc. However, the contract signed with Standard Wellness is with Mountain West Hemp Farms. This is so that the operations between greenhouse and medical cannabis cultivation is separated. The location is the same as Pineae.

PINEAE GREENHOUSES, INC.

SITE PLAN

1901 SOUTH 5100 WEST
 OGDEN, UT 84401



**PINEAE GREENHOUSES, INC.
BUILDING ELEVATION PHOTOS**

S-3 and S-4 GREENHOUSES – OUTSIDE FRONT VIEWS



S-3 and S-4 GREENHOUSES – OUTSIDE SIDE VIEWS



S-4 EXTENTION GREENHOUSE – OUTSIDE FRONT/SIDE/BACK VIEWS AND CONNECTED TO S-4 GREENHOUSE



S-3, S-4, and S-4 EXTENTION GREENHOUSES PHOTO



S-3 and S-4 GREENHOUSES – INSIDE VIEWS



S-4 EXTENTION GREENHOUSE – INSIDE VIEWS

