



## Planning and Development Services

# **PB-15-80 TCH**

**City Commission  
November 5, 2015**

**Legistar No. 150395**

**Presentation by Dean Mimms, AICP**

# Background

**Florida legislature 2014 enacted “Compassionate Medical Cannabis Act of 2014” (Sec 381.986, F.S.), which authorizes licensed physicians to order low-THC cannabis for specified patients (suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe & persistent muscle spasms, and only if no other satisfactory alternative treatment options exist for that patient).**

**City Commission directed Planning & Development Services to initiate petition to amend Code to allow & provide regulations for low-THC (“Charlotte’s Web”) medical marijuana (cannabis) & retail facilities that operate in accordance w/state law. Petition amends Code to define low-THC cannabis (marijuana) and medical marijuana dispensary, and to allow medical marijuana dispensaries in accordance w/state law.**

# Petition

Allow the operation of medical marijuana dispensaries as a permitted use in these zoning districts:

- OR** (20 units /acre office residential district)
- OF** (General office district)
- BUS** (General business district)
- MU-1** (8–30 units/acre mixed-use low intensity)
- MU-2** (12-30 units/acre mixed-use medium intensity),
- UMU-1** (8-75 units/acre, and up to 25 additional units/acre by special use permit, urban mixed-use district),
- UMU-2** (10-100 units/acre, and up to 25 additional units/acre by special use permit, urban mixed-use district),
- CCD** (Up to 150 units/acre central city district),
- MD** (Medical services district), and
- CP** (Corporate park district).

## *Low-THC cannabis*

means a plant of the genus *Cannabis*, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed only from a Medical Marijuana Dispensary. The term does not include the possession, use, or administration of cannabis by burning or igniting and inhaling the smoke.

## *Medical marijuana dispensary*

means a dispensary organization approved by the Florida Department of Health pursuant to and according to the regulations of the “Compassionate Medical Cannabis Act of 2014” (codified in Section 381.986, Florida Statutes) to cultivate, process, and dispense low-THC cannabis to Florida residents who have been added to the state compassionate use registry by a physician licensed under Chapter 458 or Chapter 459, Florida Statutes, because the patient is suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms with no other satisfactory alternative treatment options.

## **City Plan Board to City Commission**

**Approve Petition PB-15-80 TCH**  
**(Plan Board voted 4-1)**

## **Staff to City Commission**

**Approve Petition & Ordinance**