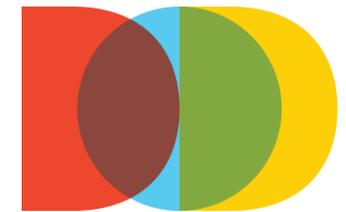


# Medical Marijuana Regulations

City Commission  
March 2, 2017

Legistar No. 160685

Dean Mimms, AICP



DEPT  
OF  
DOING

# Petition Overview

- Amends Land Development Code (LDC) for consistency w/expanded 2016 state law
- Clarifies that Medical Marijuana Dispensaries may dispense cannabis to medical patients for medical purposes per Sec. 381.986, F.S., as may be amended from time to time
- Should state law change to allow different types of medical marijuana or different types of medical patients, our LDC would automatically allow such change
- LDC amendment will strictly limit dispensing to medical marijuana
- Any future state law change allowing dispensing of recreational marijuana would need to be considered by City Commission before such use could be allowed, unless City's authority preempted by FL Legislature

# Legislative History

Compassionate Medical Cannabis Act of 2014

2015, City Commission adopted LDRs to implement Act of 2014

2016, HB 307 substantially amended 2014 Act

Sept. 2016, City Commission referred Petition to revise LDRs for consistency with expanded 2016 state law to General Policy Committee, which provided guidance for new Petition

2016 Amendment 2 - Use of Medical Marijuana for Debilitating Medical Conditions

# Petition Summary

Continue to allow Medical marijuana dispensary in these zoning districts:

*BUS (General business district)*

*MU-2 (Mixed use medium intensity district)*

*UMU-1 (Urban mixed-use district 1)*

*UMU-2 (Urban mixed-use district 2)*

(Remove from list of permitted uses in these districts:

*OF and OR (General office & Office residential)*

*MU-1 (Mixed use low intensity)*

*CCD (Central City District)*

*MD (Medical services) and CP (Corporate park)*

## Petition Summary (continued)

Add requirements to Medical marijuana dispensary (in Article VI, Specially regulated uses):

- ✓ Minimum distances between medical marijuana dispensaries (1,320 ft.)
- ✓ Minimum distances to: places of religious assembly (300 ft.); residential zoning districts (500 ft.); and schools (750 ft.)
- ✓ Prohibitions on what can be dispensed or sold (e.g., no alcohol)

## Petition Summary (continued)

### Additional requirements:

- ✓ Prohibit on-site consumption of cannabis or alcohol
- ✓ Limit hours for on-site dispensing (7AM - 9 PM)
- ✓ Security lighting
- ✓ Safety & security systems
- ✓ Drop safe or cash management device for restricted access to cash receipts

## Petition Summary (continued)

### Delete Definition

#### ~~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 (as defined in this code.)~~

# Petition Summary (continued)

## Revise Definition

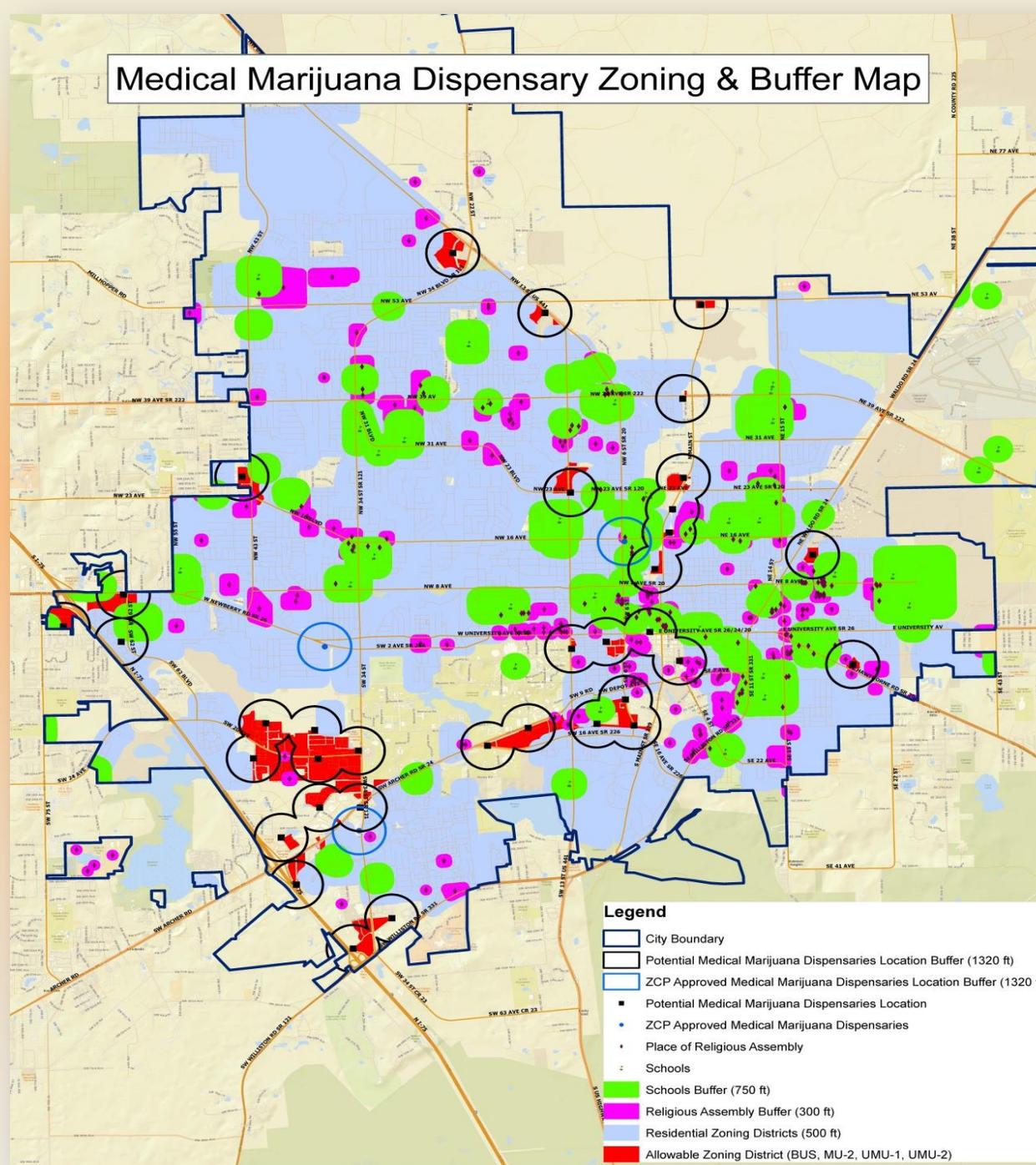
### *Medical marijuana dispensary*

means a facility that dispenses cannabis to medical patients for medical purposes pursuant to and in accordance with Section 381.986, Florida Statutes, as may be amended from time to time.

~~dispensary organization approved by the Florida Department of Health pursuant to and in accordance with 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.~~

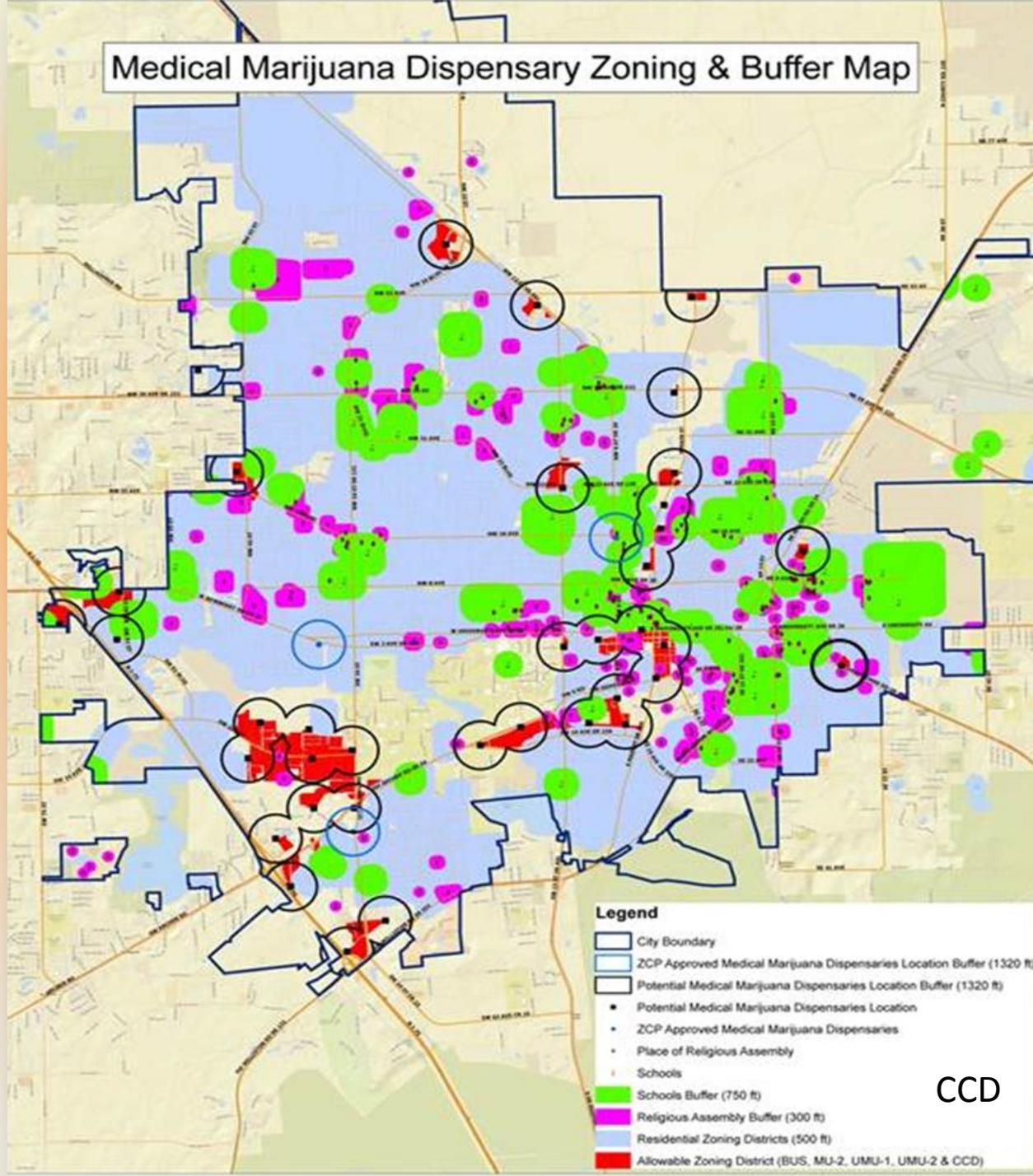
# Medical Marijuana Dispensary Zoning & Buffer Map

160685E



# Medical Marijuana Dispensary Zoning & Buffer Map

160685E



CCD

## Options to Consider

- Addition or deletion of zoning districts
- Revision of Minimum Distances and other requirements for Medical marijuana dispensaries (Article VI)
- Additional requirements for Medical marijuana dispensaries (Article VI)

## Staff Recommendation

### **Staff to City Commission**

Approve Petition & Ordinance

### **Staff to City Plan Board**

Approve Petition PB-16-185 TCH

City Plan Board  
Recommendation  
to  
City Commission

Approve Petition PB-16-185 TCH

(Plan Board voted 4-2)

with the following revisions:

- Allow all cannabis products legally established now or in the future by the State of Florida
- Continue to allow Medical marijuana dispensary as a permitted use in all of the zoning districts (OR, OF, BUS, MU-1, MU-2, UMU-1, UMU-2, CCD; MD and CP) in which it is currently a permitted use
- Limit the proposed Specially Regulated Use Requirements (Article VI) for Medical marijuana dispensary to a 1,320-ft. minimum distance between Medical marijuana dispensaries, and to a 750-ft. minimum distance to schools (accredited public or private school offering any grades from kindergarten through 12<sup>th</sup> grade)