



**City of Gainesville  
Department of Doing  
Planning Division**

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## **CITY PLAN BOARD STAFF REPORT**

**PUBLIC HEARING DATE:** January 24, 2019

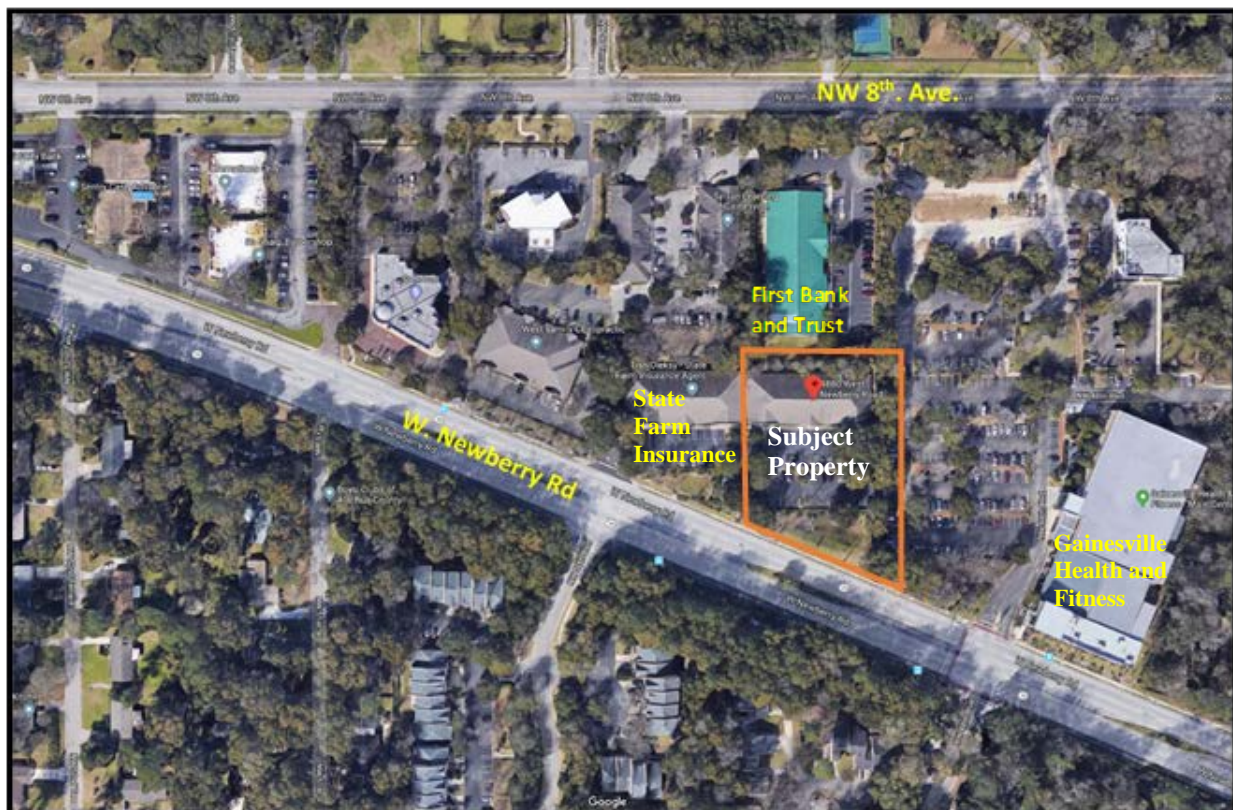
**ITEM NO:** 3

**PROJECT NAME AND NUMBER:** PB-18-175 SUP Medical Marijuana Dispensary Facility

**APPLICATION TYPE:** Quasi-Judicial: Special Use Permit (SUP) to allow a Medical Marijuana Dispensary Facility in the Corporate Park zoning district.

**RECOMMENDATION:** Staff recommends approval of the Special Use Permit for Petition PB-18-175 SUP.

**CITY PROJECT CONTACT:** Yvette Thomas, Planner IV



**Map 1. Site Location Map**

**APPLICATION INFORMATION:**

**Agent/Applicant:** eda engineers-surveyors-planners, inc, Agent for Mildred Jane Whitehill; Courtyards of Gainesville Owner's Association

**Property Owner(s):** Mildred Jane Whitehill; Courtyards of Gainesville Owner's Association

**Related Petition(s):** NA

**Legislative History:** None

**Neighborhood Workshop:** Tuesday, November 27, 2018.

**SITE INFORMATION:**

**Address:** 4880 W. Newberry Road, Suite 140

**Parcel Number(s):** 06545-55-00; 06545-055-001

**Acreage:** 0.089 Acres

**Existing Use(s):** Office Building

**Land Use Designation(s):** Mixed-use Medium

**Zoning Designation(s):** Corporate Park

**Overlay District(s):** None

**Transportation Mobility Program Area (TMPA):** Area "B"

**Census Tract:** 16.03

**Water Management District:** St. Johns River Water Management District

**Special Feature(s):** None

**Annexed:** 1979

**Code Violations:** None

**SITE AND ADJACENT PROPERTY CHARACTERISTICS:**

The .089 acre subject property is located southwest of the intersection of NW 8<sup>th</sup> Ave. and Newberry Rd, with Newberry serving as the southern boundary as indicated in Map 1. The property has a land use designation of Mixed-Use Medium and is located within a Corporate Park zoning district.

**Table 1.**  
**Existing Land Use and Zoning Designations**

	EXISTING USE(S)	LAND USE DESIGNATION(S)	ZONING DESIGNATION(S)
<b>North</b>	Offices	MUM: Mixed Use Medium	CP: Corporate Park
<b>South</b>	Monticello at Mill Pond Development	RL: Residential Low	PD: Planned Development
<b>East</b>	Gainesville Health & Fitness	MUM: Mixed Use Medium	CP: Corporate Park
<b>West</b>	Offices	MUM: Mixed Use Medium	CP: Corporate Park

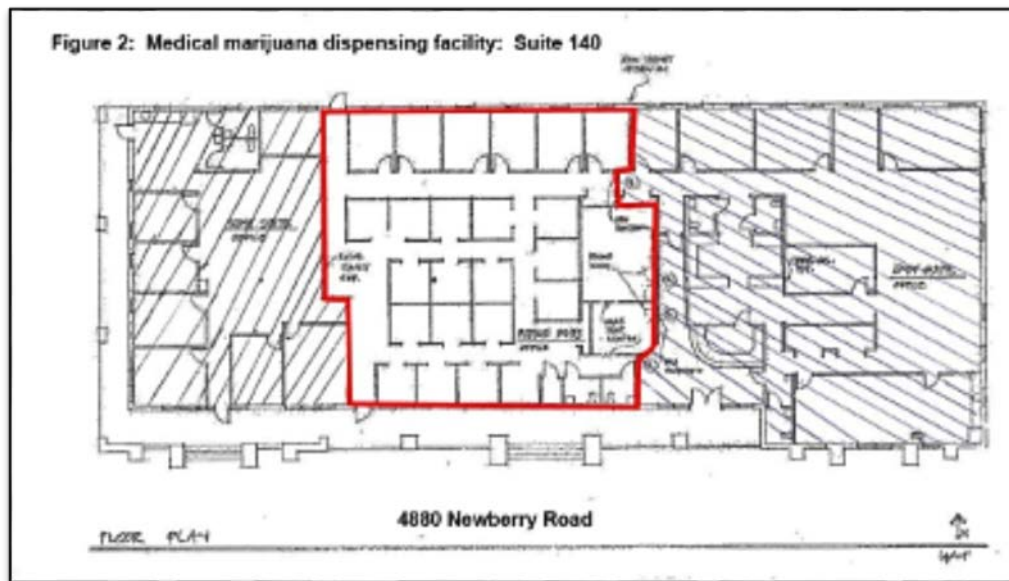
**PURPOSE AND DESCRIPTION:**

The Land Development Code requires a medical marijuana dispensary facility to obtain a Special Use Permit (SUP) and compliance with Section 30-4.19 when located within the Corporate Park (CP) zoning district.

The development is illustrated on Map 2 and will be located within an existing building suite and is positioned approximately 185 feet from Newberry Road. There are no proposed changes to the building footprint and the facility will occupy approximately 3,833 square feet of space within the 10,766 square foot building space.

According to Alachua County Property Appraiser the one story office building was built in 2002. Most recently the building was occupied by a physical therapist and is surrounded by a variety of business types consistent with the zoning district. There are no changes proposed to the site access, landscaping, parking, utilities or overall site layout.

## Map 2. Proposed Development Layout



### STAFF ANALYSIS AND RECOMMENDATION:

#### ANALYSIS

The staff analysis and review is based on the criteria for issuing a Special Use Permit as shown in Division 4 of Article IV of the Land Development Code and the provisions of Section 30-4.19 Table V-7 located within Appendix B.

#### Special Use Permit Review Criteria

In accordance with Section 30-3.24 no Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use:

#### **A. The proposed use of development is consistent with the Comprehensive Plan and the Land Development Code.**

The property is zoned Corporate Park which is consistent with the land use designation of Mixed-Use Medium-Intensity (MUM). MUM allows a mixture of residential, office, and business uses concentrated in mapped areas. The proposed Medical Marijuana Dispensing Facility use is allowed based on Sec. 30-4.19 Table V-7 (Permitted Uses in Mixed-Use and Nonresidential Districts) of the Land Development Code in the Corporate Park (CP) zoning district through the application of a special use permit. When implemented by the CP zoning district, MUM is appropriate for corporate office facilities and mixed-use, office-oriented development. Light assembly, fabrication, and processing uses within fully enclosed structures may be allowed as specially regulated uses through the special use permit process. The proposed facility is consistent with the Comprehensive Plan objective of land development regulations that promote mixed-use development.



- B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.**

The proposed facility will be located within an existing corporate park that includes a health and fitness center to the east, offices to the west and to the north, and single-family residences located south of Newberry Road (see Table 1). The facility will occupy 3,833 square feet of space within a 10,766 square foot building. The development plan for the building was approved in 1999 and construction commenced soon after. There will be no changes to the building footprint and no changes proposed to the scale, height, mass and bulk, design, intensity, and character of activity or overall site layout. There is no new construction proposed for this facility. The only changes included in this proposal are to move the front door entry to the center of the suite façade and create a double door entry.

- C. The proposed use will not adversely affect the health, safety, and welfare of the public.**

The proposed facility is compatible with the uses in the vicinity of the site and do not pose a threat to the health, safety, and welfare of the public. All activities related to the facility will be located entirely inside the building. The facility must also comply with state law requirements for medical marijuana dispensing facilities by providing security systems for all entry points, maintaining video surveillance, ensuring proper lighting for outdoor areas, and not dispense from its premises between the hours of 9 p.m. and 7 a.m.

- D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.**

A development plan was approved for the development in 1999 and includes existing ingress and egress routes and parking areas. There are bike lanes, a bus shelter, and sidewalks along Newberry Road. There is also an existing sidewalk connection from Newberry Road to the buildings within the development.

- E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.**

The existing off-street parking, service, and loading areas will not be altered by this proposed facility and there are no adjacent properties zoned for single-family residential uses.

- F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.**

All activity associated with the proposed facility will operate entirely within the existing building. There are no noise, glare, or odor effects from the uses that will adversely affect the surrounding properties.

- G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.**

The proposed facility will not affect or change refuse and service/loading areas and there are no proposed outdoor storage or display areas associated with the request.

**H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.**

The proposed facility will be located within an existing building, therefore utility services are available and have adequate capacity necessary for the proposed use.

**I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.**

The proposed facility will be located within an existing building and there are no proposed changes to the existing landscaping.

**J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.**

The facility will operate daily from 8:00 a.m. to 9:00 p.m. These hours are consistent with the Florida Statutes requirement for medical marijuana dispensing. The hours of operation are also consistent with properties located within the corporate park. The Gainesville Health & Fitness Center, located west of the site, is open 24 hours while the various businesses located east of the site generally operate between 8:30 a.m. to 6:30 p.m. The proposed hours of operation will not impact any properties zoned for single-family residential use.

**K. Any special requirements set forth in the Land Development Code for the particular use involved are met.**

There are no special requirements set forth in the Land Development Code for this use, however, the site will be in compliance with the review criteria outlined in Section 30-3.24 of the Land Development Code.

**RECOMMENDATION**

Staff recommends approval of Petition PB-18-00175 SUP, subject to compliance with all applicable regulations.

**DRAFT MOTION FOR CONSIDERATION**

Approve Petition PB-18-00175 SUP, subject to compliance with all applicable regulations.

<b>LIST OF APPENDICES:</b>
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**Appendix A Comprehensive Plan Goals, Objectives and Policies**

Exhibit A-1: Future Land Use Element, Policy 4.1.1

**Appendix B Land Development Code Regulations**

Exhibit B-1: Section 30-3.24. Review Criteria.

Exhibit B-2: Section 30-4.19. Permitted Uses.

**Appendix C**    **Application Documents**

- Exhibit D-1: Legal Description 06545-055-000 and 06545-055-001
- Exhibit D-2: NAR Signed
- Exhibit D-3: Neighborhood Workshop Package
- Exhibit D-4: Ownership Information 06545-055-000 and 06545-055-001
- Exhibit D-5: Parking Analysis
- Exhibit D-6: SUP Application Signed
- Exhibit D-7: SUP Justification Report with Attachments

## **Appendix A**

### **Comprehensive Plan Goals, Objectives and Policies**



be increased to a maximum of 8 stories by Special Use Permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and other community civic uses. Buildings in this category shall face the street and have modest front setbacks.

This category shall not be used to extend strip commercial development along a street. Land development regulations shall ensure a compact, pedestrian-friendly environment for these areas, and provide guidelines or standards for the compatibility of permitted uses.

### **Mixed-Use Medium-Intensity (MUM): 12-30 units per acre**

This land use category allows a mixture of residential, office, and business uses concentrated in mapped areas. When implemented by the Corporate Park zoning district, this category is appropriate for corporate office facilities and mixed-use office oriented development. Light assembly, fabrication, and processing uses within fully enclosed structures may be allowed as specially regulated uses through a Special Use Permit process established in the Land Development Code.

Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as a neighborhood center serving multiple neighborhoods or a community-serving retail and/or office center. It is not expected that these areas shall be expanded significantly during this planning period. Land development regulations shall ensure a compact, pedestrian environment for these areas, and provide guidelines for the compatibility of permitted uses. Residential development shall be limited to 12 to 30 units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Unified developments that include a residential and non-residential component (either horizontally or vertically mixed) shall not be required to meet the minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by Special Use Permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within 1/4 mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and community facilities.

Buildings in this land use category shall face the street and have modest front setbacks.



## **Appendix B**

### **Land Development Code Regulations**

## DIVISION 5. SPECIAL USE PERMITS

### Section 30-3.22. Purpose.

It is the intent of this division to recognize and permit certain uses and developments that require special review, and to provide the standards by which the applications for permits for uses and development shall be evaluated. It is further intended that Special Use Permits be required for developments that, because of their inherent nature, extent, and external effects, require special care in the control of their location, design, and methods of operation in order to ensure conformance with the Comprehensive Plan and this chapter.

### Section 30-3.23. Required.

The applicable uses listed in Article IV may be established in that zoning district only after issuance and recordation of a Special Use Permit by the City Plan Board.

### Section 30-3.24. Review Criteria.

No Special Use Permit shall be approved by the City Plan Board unless the following findings are made concerning the proposed special use. The burden of proof on the issue of whether the development, if completed as proposed, will comply with the requirements of this chapter remains at all times on the applicant.

- A. The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.
- B. The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.
- C. The proposed use will not adversely affect the health, safety, and welfare of the public.
- D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.
- E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.
- F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.
- G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.
- H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.
- I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.

- 1 J. The hours of operation will not adversely impact adjacent properties zoned for single-family  
2 residential use.
- 3 K. Any special requirements set forth in the Land Development Code for the particular use involved are  
4 met.

5 **Section 30-3.25. Review Procedures.**

- 6 A. *Pre-application meeting.* A pre-application meeting is not required; however, the applicant is  
7 encouraged to attend a meeting with staff to review applicable procedural and regulatory  
8 requirements.
- 9 B. *Applications.* Each application shall be filed with the City Manager or designee on the form  
10 prescribed. Any incomplete applications will be returned to the applicant. The application shall  
11 include proof of having met the requirements of a neighborhood workshop as provided in this  
12 article.
- 13 C. *Staff meeting.* The applicant for a Special Use Permit shall meet with city staff to discuss the  
14 procedures and requirements and to consider the elements of the proposed use and site and the  
15 proposed site layout.
- 16 D. *Staff report.* The City Manager or designee shall submit to the City Plan Board a written report that  
17 includes analysis of the application and a recommendation based on the review criteria provided in  
18 this division.
- 19 E. *City Plan Board hearing.*
- 20 1. The City Plan Board shall consider the evidence presented in the public hearing and the written  
21 report submitted by the City Manager or designee and shall act on the application based on the  
22 review criteria provided in this division.
- 23 2. Action on the application shall be one of the following:
- 24 a. Approval;
- 25 b. Approval subject to conditions; or
- 26 c. Denial, with a statement of the reasons for denial.
- 27 F. *Effect of denial or withdrawal.* No application for a Special Use Permit may be submitted within two  
28 years after the date of denial or withdrawal of a request for the same use for the same property.  
29 The City Plan Board may waive this time limitation by the affirmative vote of five members, provided  
30 30 calendar days have elapsed and provided the City Plan Board deems such action necessary to  
31 prevent an injustice.
- 32 G. *Amended application.* Amendment of an application may be allowed at any time prior to or during  
33 the public hearing, provided that no such amendment shall be such as to make the case different  
34 from its description in the notice of public hearing. If the amendment is requested by the applicant  
35 after notice of the hearing has been given and such amendment is at variance with the information  
36 set forth in the notice, then the applicant shall pay an additional fee in the same amount as the  
37 original fee for amended public notice. If the amended notice can be mailed at least 10 calendar  
38 days prior to the hearing originally scheduled, the hearing on the amended petition may be held on  
39 that date; otherwise, the chairperson shall announce at the public hearing that the hearing will be  
40 continued to a future meeting with proper public notice.

1 **Section 30-3.26. Effect and Limitations.**

- 2 A. *Effect.* Special Use Permits, including any permit conditions, shall run with the land and shall be  
3 binding on the original applicant as well as any successors or assigns.
- 4 B. *Modifications.* After approval and issuance of a Special Use Permit, the following situations are  
5 allowed only with the review and issuance of a new Special Use Permit:
- 6 1. A change in the boundaries of the approved site.
- 7 2. A change from the approved use.
- 8 3. Either an increase of 10% or more or incremental increases that total 10% or more in the floor  
9 area or number of parking spaces as approved.
- 10 4. Substantial changes in the approved location of principal or accessory structures.
- 11 5. Structural alterations significantly affecting the basic size, form, style, ornamentation, and  
12 appearance of principal or accessory structures as shown on the approved plans.
- 13 6. Substantial changes in approved pedestrian or vehicular access or circulation.
- 14 7. Substantial change in the approved amount or location of landscape screens or buffers.
- 15 C. *Expiration.* Special Use Permits shall expire 12 months after the date of approval unless, at that  
16 time, the authorized use has commenced or development at the site is continuing in good faith with  
17 an active building permit. At the request of the applicant and for good cause shown, the City Plan  
18 Board may extend the time of the permit's expiration for good cause shown and if not in conflict  
19 with any other provision of this chapter.
- 20 D. *Abandonment.* On request of the permit holder, the City Manager or designee may approve the  
21 abandonment of a Special Use Permit provided no construction has begun. In addition, if the use  
22 allowed by a Special Use Permit has been abandoned for a continuous period of 12 months, the  
23 permit shall be void. The process to determine whether a use has been abandoned shall be the  
24 same as that provided for nonconforming uses in Article X.
- 25 E. *Revocation.* If any conditions of an issued Special Use Permit are violated, the City Plan Board may,  
26 after giving proper notice to the permit holder, revoke the permit at a public hearing. The permit  
27 may be reinstated by the City Manager or designee if the circumstances leading to the revocation  
28 are corrected.
- 29

30 **DIVISION 6. WELLFIELD PROTECTION SPECIAL USE PERMIT**

31 **Section 30-3.27. Purpose.**

- 32 A. This division is established for the purpose of protecting the immediate and long-term supply of  
33 potable water in the community by creating a permit procedure for uses and developments within  
34 the Murphree Wellfield Protection Zones (also known as Murphree Wellfield Management Zones) as  
35 delineated in the Alachua County Code of Ordinances, as may be amended from time to time, and to  
36 provide the standards by which the applications for permits for uses and development shall be  
37 evaluated.
- 38 B. It is further intended that wellfield protection permits or wellfield protection Special Use Permits be  
39 required for developments that require special care in the control of their location, design, and

**Section 30-4.18. Density Bonus Points.**

Development criteria described in the density bonus points manual, when met, shall allow increases in development intensity based upon the limits in this section. These increases in intensity shall be allowed should a developer propose to undertake a project that will result in a development sensitive to the unique environmental and developmental needs of the area. For each criterion met by the developer, certain points shall be credited to the project. Those points, calculated in accordance with the Density Bonus Points Manual, shall determine the maximum allowable density.

**Table V - 6: Permitted Density Using Density Bonus Points**

RMF-6		RMF-7		RMF-8	
Points	Max residential density (du/ac)	Points	Max residential density (du/ac)	Points	Max residential density (du/ac)
0	10	0	14	0	20
26	11	20	15	16	21
52	12	39	16	30	22
79	13	59	17	46	23
108	14	79	18	59	24
138+	15	98	19	75	25

**DIVISION 4. MIXED-USE AND NONRESIDENTIAL****Section 30-4.19. Permitted Uses.**

The following table contains the list of uses allowed, and specifies whether the uses are allowed by right (P), accessory to a principal use (A), or by special use permit approval (S). Blank cells indicate that the use is not allowed. No variances from the requirements of this section shall be allowed.

**Table V - 7: Permitted Uses in Mixed-Use and Nonresidential Districts.**

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
<b>RESIDENTIAL</b>													
Single-family house		P	-	P	P	-	-	-	-	-	P	-	-
Attached dwellings		P	P	P	P	-	-	-	-	-	-	-	-
Multi-family dwellings		P	P	P	P	S	-	-	-	-	P	-	-
Accessory dwelling units	30-5.33	A	A	A	A	-	-	-	-	-	P	-	-
Adult day care homes	30-5.2	P	P	P	P	P	P	-	-	P	-	-	-
Community residential homes (up to 6 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (more than 14 residents)	30-5.6	-	P	P	P	-	-	-	-	-	P	-	-
Community residential homes (7 to 14 residents)	30-5.6	P	P	P	P	-	-	-	-	-	P	-	-



	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Dormitory, large	30-5.8	-	-	-	S	-	-	-	-	-	-	-	-
Dormitory, small	30-5.8	S	S	S	P	-	S	-	-	-	-	-	-
Family child care homes	30-5.10	P	-	P	P	-	-	-	-	-	P	-	-
<b>NONRESIDENTIAL</b>													
Alcoholic beverage establishments	30-5.3	S	S	-	-	-	P	-	P	P	-	P	P
Assisted living facility		P	P	-	P	-	-	-	-	-	P	-	-
Armor systems manufacturing and assembly	30-5.16	P	-	-	-	-	-	-	-	-	-	-	-
Bed and breakfast establishments	30-5.4	P	P	S	S	-	P	-	P	-	-	-	-
Business services		P	P	-	P	P	P	P	P	P	P	P	P
Car wash facilities	30-5.5	S	S	-	-	-	P	P	S	P	P	P	P
Civic, social & fraternal organizations		P	P	-	-	-	P	P	P	P	-	-	-
Daycare center	30-5.7	P	P	P	P	P	P	-	-	P	P	-	-
Drive-through facility	30-5.9	P	P	-	-	-	P	P	P	P	P	P	P
Emergency shelters		P	P	P	P	P	P	P	P	P	P	P	P
Equipment sales, rental and leasing, heavy		-	-	-	-	-	-	-	-	-	-	P	P
Equipment sales, rental and leasing, light		-	P	P	P	-	P	P	-	P	P	P	P
Food distribution center for the needy	30-5.12	-	-	-	-	-	S	-	S	S	-	-	-
Food truck	30-5.35	P	P	A	A	P	P	P	P	P	P	P	P
Fuel dealers		S	S	-	-	-	S	P	-	-	-	P	P
Funeral homes and crematories		P	P	P	P	-	P	P	-	-	-	-	-
Gasoline/alternative fuel stations	30-5.13	S	S	-	-	-	P	P	P	S	P	S	S
Go-cart raceway and rentals (indoor and outdoor)		-	-	-	-	-	-	-	-	-	-	S	S
Health services		P	P	P	P	P	-	-	-	-	P	-	-
Hotels and motels		S	S	-	-	S	P	-	P	P	S	-	-
Ice manufacturing/vending machines	30-5.38	-	-	-	-	-	S	S	S	A	A	A	A
Industrial	30-5.14	-	-	-	-	-	-	-	-	-	-	P	P
Job training and vocational rehabilitation services		-	P	-	-	-	P	-	-	P	P	P	-
Junkyard/Salvage Yard	30-5.15	-	-	-	-	-	-	-	-	-	-	S	P
Laboratories, medical and dental		P	P	P	P	P	P	-	-	P	P	P	P

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Large-scale retail		-	P	-	-	-	P	P	P	P	-	-	-
Libraries		-	P	-	-	P	-	-	-	-	P	-	-
Light assembly, fabrication, and processing	30-5.16	P	P	-	S	S	S	P	-	P	P	P	P
Liquor stores		P	P	-	-	-	P	P	P	-	P	-	-
Medical marijuana dispensing facility		P	P	A <sup>1</sup>	A <sup>1</sup>	S	P	P	P	P	P	S	S
Microbrewery Microwinery Microdistillery <sup>3</sup>	30-5.17	S	P	-	-	-	P	-	P	P	P	P	P
Mini-warehouses, self-storage		-	-	-	-	-	-	-	-	P	P	P	P
Museums and art galleries		P	P	P	P	P	P	-	P	P	P	-	-
Offices		P	P	P	P	P	P	P	P	P	P	P	P
Offices, medical and dental		P	P	P	P	P	P	-	P	-	P	-	-
Outdoor storage, principal use	30-5.19	-	-	-	-	-	-	-	-	S	P	P	P
Parking, surface (as a principal use)	30-5.20	-	S	-	-	-	S	P	-	P	P	-	-
Passenger transit or rail stations		S	S	-	-	P	P	P	P	P	P	P	-
Personal services		P	P	P	P	P	P	P	P	P	P	P	P
Places of religious assembly	30-5.21	P	P	P	P	P	P	P	P	P	P	-	-
Public administration buildings		P	P	P	P	P	P	P	P	P	P	P	-
Public maintenance and storage facilities		-	-	-	-	-	-	-	-	P	P	P	P
Public parks		S	S	S	S	P	P	P	P	P	P	P	P
Recreation, indoor		P	P	P	P	P	P	P	P	P	P	P	P
Recreation, outdoor		-	-	-	-	-	S	P	P	S	-	P	P
Recycling centers		-	S	-	-	-	S	-	-	-	S	S	P
Rehabilitation centers	30-5.24	S	S	S	S	-	S		-	S	-	S	
Research, development and testing facilities		-	-	-	-	P	P	-	-	P	P	P	P
Residences for destitute people	30-5.22	S	S	S	S	-	S	-	S	-	-	-	-
Restaurants		P	P	-	S	P	P	P	P	P	P	P	P
Retail nurseries, lawn and garden supply stores		P	P	-	-	-	P	P	-	P	P	P	-
Retail sales (not elsewhere classified)		P	P	-	-	S	P	P	P	P	P	S	S
Schools, elementary, middle & high (public & private)		P	P	S	S	-	P	-	-	-	P	-	-
Schools, professional		P	P	P	P	P	P	P	-	P	P	P	P

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Schools, vocational and trade		-	P	P	P	-	P	P	-	P	P	P	P
Scooter or electric golf cart sales		P	P	-	-	-	P	P	-	P	-	P	-
Sexually-oriented cabarets	30-5.23	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented motion picture theaters	30-5.23	-	-	-	-	-	-	-	P	-	-	-	P
Sexually-oriented retail store	30-5.23	-	-	-	-	-	P	-	P	-	-	-	P
Skilled nursing facility		P	P	-	P	P	P	-	-	-	P	-	-
Social service facility	30-5.25	S	S	S	S	-	-	-	-	-	P	S	S
Solar generation station	30-5.27	-	-	-	-	-	-	-	-	P	-	P	P
Truck or bus terminal/maintenance facilities		-	-	-	-	-	-	P	P	P	P	P	P
Vehicle repair	30-5.28	-	-	-	-	-	-	P	P	P	-	P	P
Vehicle rental		-	-	-	-	-	P	P	P	P	P	P	-
Vehicle sales (no outdoor display)		-	-	-	-	-	P	P	P	P	-	P	-
Vehicle sales (with outdoor display)		-	-	-	-	-	-	P	-	P	-	P	P
Vehicle services	30-5.28	S	S	-	-	-	P	P	P	P	S	P	P
Veterinary services	30-5.29	P	P	P	P	P	P	P	P	P	P	P	P
Warehouse/distribution facilities (<100,000 SF)		-	-	-	-	-	-	-	-	P	P	P	P
Warehouse/distribution facilities (>100,000 SF)		-	-	-	-	-	-	-	-	P	P	P	P
Waste management facilities		-	-	-	-	-	-	-	-	S	-	P	P
Wholesale trade		-	-	-	-	-	-	S	-	P	P	P	P
Wireless communication facilities	30-5.30												

**LEGEND:**

P = Permitted by right; S = Special Use Permit; A = Accessory; Blank = Use not allowed.

1 = Only when accessory to and in the same building as health services or offices of physicians, dentists, and other health practitioners.

2 = Accessory to and in the same building as health services and comprising less than 25% of the gross floor area of the building.

3 = Prohibited where adjacent to single-family zoned property.

## Section 30-4.20. Dimensional Standards.

The following tables contain the dimensional standards for the various uses allowed in each district.

**Table V - 8: Mixed-Use and Nonresidential Districts Dimensional Standards.**

	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	W	BI	I-1	I-2
<b>DENSITY/INTENSITY</b>												
Residential density (units/acre)												
Min <sup>1</sup>	8	12	None	None	10	None	None	None	8	None	None	None
Max	30	30	20	20	30	None	None	None	30	None	None	None
Nonresidential building coverage	60%	75%	40%	50%	50%	None	None	None	None	None	None	None
Nonresidential GLA (max)	100,000 <sup>2</sup>	None <sup>2</sup>	None	None	None	None	None	None	None	None	None	None
<b>LOT STANDARDS</b>												
Min lot area (sq. ft.)	None	None	6,000	6,000	None	None	None	6,000	None	None	None	None
Min lot width (ft.)	None	None	60	60	None	None	None	60	None	None	None	None
Min lot depth (ft.)	None	None	90	90	None	None	None	90	None	None	None	None
<b>SETBACKS (ft.)</b>												
Front	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	10 min 100 max	15 min	10 min 100 max	25 min	25 min	25 min	25 min
Side-street (min)	15	15	10	10	10	10	15	10	25	20	25	25
Side-interior (min)	10	10	10	10	10	10	10	10	10 <sup>4</sup>	10	10 <sup>4</sup>	20 <sup>4</sup>
Rear (min)	10	10	10	10	10	10	15	10	10 <sup>4</sup>	20	10 <sup>4</sup>	10 <sup>4</sup>
<b>MAXIMUM BUILDING HEIGHT (stories)</b>												
By right	5	5	3	3	5	5	5	5	5	5	5	5
With building height bonus	8	8	-	-	8	8	-	8	-	-	-	-

### LEGEND:

1 = Lots that existed on November 13, 1991, as recorded in the city and that are less than or equal to 0.5 acres in size are exempt from minimum density requirements.

2 = Developments of 50,000 sq. ft. or more of gross leasable area shall be located along arterials or collectors, as defined in the official roadway map.

3 = Where the yard abuts and is used for access to a railroad siding, the minimum setback shall be zero feet.

4 = Where the rear or side yard abuts U1 or single-family residential zoning or a historic district, Section 30-4.8 development compatibility standards shall apply.

## **Appendix C**

### **Application Documents**





**LEGAL DESCRIPTION**

For: 4880 W Newberry Rd  
Gainesville, FL 32607  
Tax Parcel 06545-055-000

COMMENCE AT A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 197.60 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 3.91 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 02 SECONDS EAST, 185.76 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 84.00 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 02 SECONDS WEST, 185.76 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS EAST, 84.00 FEET TO THE POINT OF BEGINNING.

## **LEGAL DESCRIPTION**

For: Tax Parcel 06545-055-001

BEGIN AT A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 05 MINUTES 14 SECONDS EAST, ALONG THE EAST LINE OF SAID PARCEL OF LAND, 311.68 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "LS 4116" ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 26 (A 100 FOOT RIGHT-OF-WAY);

THENCE NORTH 67 DEGREES 14 MINUTES 00 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 434.33 FEET TO A NAIL AND DISK STAMPED "LB 5075" AT THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 821 OF SAID PUBLIC RECORDS;

THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL OF LAND, 158.04 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHWEST CORNER OF SAID PARCEL OF LAND;

THENCE SOUTH 89 DEGREES 53 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 199.97 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 821 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 12 MINUTES 02 SECONDS EAST ALONG THE EAST LINE OF SAID PARCEL OF LAND, 14.08 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF SAID PUBLIC RECORDS;

THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, ALONG THE NORTH LINE OF SAID

PARCEL OF LAND, 199.92 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

COMMENCE AT A 4" X 4" CONCRETE MONUMENT NO IDENTIFICATION AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;  
THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 197.60 FEET; TO THE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 87.91 FEET;  
THENCE NORTH 89 DEGREES 59 MINUTES 02 SECONDS WEST, 174.83 FEET;  
THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS EAST, 87.91 FEET;  
THENCE SOUTH 89 DEGREES 59 MINUTES 02 SECONDS EAST, 172.51 FEET TO A 4" X 4" CONCRETE MONUMENT NO IDENTIFICATION AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF SAID PUBLIC RECORDS;  
THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 2.32 FEET TO THE POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

COMMENCE AT A 4" X 4" CONCRETE MONUMENT NO IDENTIFICATION AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;  
THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 197.60 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 3.91 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 89 DEGREES 59 MINUTES 02 SECONDS EAST, 185.76 FEET;  
THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 84.00 FEET;  
THENCE NORTH 89 DEGREES 59 MINUTES 02 SECONDS WEST, 185.76 FEET;  
THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS EAST, 84.00 FEET TO THE POINT OF BEGINNING.

**Gainesville.**  
**Citizen centered**  
**People empowered**

**APPLICATION FOR EXEMPTION  
 REGULATED NATURAL RESOURCES  
 [LDC 30-300 & 30-310]**

Petition No. \_\_\_\_\_ (Will be filled in by staff.)

**OFFICE USE ONLY**

☐ Approved      ☐ Denied      Approval expiration date \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department of Planning & Development Services

**NOTICE:** The applicant is responsible for supplying all information necessary to determine exemption from the City's natural resource regulatory requirements. Any evidence supporting a claim of exemption must be attached to this form. Failure to answer all questions will result in the application being returned to the applicant. Additional information may be requested in order to process this application. Verification/concurrence with this application for exemption will be provided in writing to the address shown on this form.

Owner Name(s) (please print)	
Name(s):	Mildred Jane Whitehill
Mailing Address:	3705 SW 2nd Place
	Gainesville, FL 32607
Phone:contact agent	Fax:contact agent
(If additional owners, please include on separate sheet)	

\*see additional owners

Applicant(s) Name (please print)	
Name:	eda engineers-surveyors-planners, inc.
Mailing Address:	2404 NW 43rd St
	Gainesville, FL 32606
Phone: 352-373-3541	Fax: 352-373-7249

**PROJECT INFORMATION**

Project name:	Medical Marijuana Dispensary
Project location:	4880 Newberry Road, Suite 140
Tax parcel #(s):	06545-055-000 & 06545-055-001
Type of development application to which exemption will apply:	Special Use Permit

**EXEMPTIONS: REGULATED SURFACE WATERS & WETLANDS (LDC 30-300)**

Please check the box next to the reason(s) why you claim exemption. (Conditions apply. See full text of City Land Development Code 30-304 before checking exemption.)

1. ☒ No regulated surface water or wetland on or adjacent to the development parcel.
2. ☐ The proposed construction, development, or use is authorized by a valid building permit or approved development plan issued or approved before April 12, 2004. (Please attach a copy of the permit or approved plan.)
3. ☐ Public works or utilities project.
4. ☐ Repair or replacement of an existing site structure(s) that does not increase site impervious surface.
5. ☐ Addition or accessory structure(s) which does not add more than 100 square feet of impervious area, and meets the minimum setbacks from surface waters and wetlands.
6. ☐ The proposed construction or development was approved under a planned development prior to April 12, 2004.
7. ☐ Construction of public or private nature trails.
8. ☐ Reestablishment of native vegetation on single-family residential property.
9. ☐ The proposed activity is located in or adjacent to a human-built surface water or wetland which was not created as a mitigation project, and which was originally constructed in uplands.
10. ☐ Construction of a stormwater management facility within a wetland buffer.

**EXEMPTIONS: REGULATED NATURAL & ARCHAEOLOGICAL RESOURCES (LDC 30-310)**

Please check the box next to the reason(s) why you claim exemption. [Conditions apply. See full text of City Land Development Code 30-310(d) before checking exemption.]

1. ☒ Any parcel of record as of November 13, 1991, that is less than or equal to five (5) acres in size and does not contain listed species or an archaeological site identified by Florida Master Site file number.
2. ☐ Bona-fide agricultural/silvicultural activities.
3. ☐ Removal of invasive non-native vegetation on conservation lands.
4. ☐ Alteration of vegetation pursuant to an adopted management or restoration plan on government-maintained land.



5. ☐ Activities authorized by City-approved management plan.
6. ☐ Alteration of vegetation within existing utility, drainage or stormwater easements, and road right-of-ways.
7. ☐ Clearing and vegetation removal to construct a fence or wall, or establish a firebreak.
8. ☐ Vegetation alteration to conduct a survey or other required test.
9. ☐ Text Amendments to Planned Development zoning or Planned Use District land use ordinances that are unrelated to development activity.
10. ☐ Activities determined by the city manager or designee as having *de minimis* impact.
11. ☐ The County land use and zoning remains in effect and the development application will be reviewed under County regulations.
12. ☐ The property has a final master plan approved by the City prior to August 2, 2012; or has a valid Planned Development zoning ordinance approved by the City prior to August 2, 2012 that includes protection of natural and archaeological resources.
13. ☐ Sinkholes which pose threat of property loss or structural or functional damage to an existing building or facility.

I certify that I am the owner of the subject property and authorize the agent listed above to initiate this application for environmental exemption. (Signature by the owner on this application or in a letter is necessary.) I further certify that all of the information contained in this application is accurate and up-to-date.

Owner's signature: SEE AFFIDAVIT Date:                     

Applicant's signature: CLJ Date: 11/30/18  
(if not the same as owner)

Applications & Guidelines  
Environmental exemptions

Additional Owner:  
Courtyards of Gainesville Owner's Association  
3705 SW 2nd Place  
Gainesville, FL 32607



TODAY IN HISTORY

In 1866, Chinese revolution-ary Sun Yat-sen, the first provisional president of the Republic of China, was born.

In 1920, baseball got its first “czar” as Judge Kenesaw Mountain Landis was elected commis-sioner of the American and National Leagues.

In 1936, the San Francisco-Oakland Bay Bridge opened as President Franklin D. Roosevelt pressed a tele-graph key in Washington, D.C., giving the green light to traffic.

In 1942, the World War II naval Battle of Guadalcanal began. (The Allies ended up winning a major victory over Japanese forces.)

In 1984, space shuttle astronauts Dale Gardner and Joe Allen snared a wandering satellite in his-tory’s first space salvage; the Palapa B2 satellite was secured in Discovery’s cargo bay for return to Earth.

In 2001, American Airlines Flight 587, an Airbus A300 headed to the Dominican Republic, crashed after takeoff from New York’s John F. Kennedy Interna-tional Airport, killing all 260 people on board and five people on the ground.

TODAY’S BIRTHDAYS

Singer **Brian Hyland** is 75. Actor-playwright **Wallace Shawn** is 75. Rock musician **Booker T. Jones** (Booker T. & the MGs) is 74. Sports-caster **Al Michaels** is 74. Singer-songwriter **Neil Young** is 73. Rock musician **Donald “Buck Dharma” Roeser** (Blue Oyster Cult) is 71. **Sen. Jack Reed**, D-R.I., is 69. Country/gospel singer **Barbara Fairchild** is 68. Actress **Megan Mullally** is 60. Actor **Vincent Irizarry** is 59. Olympic gold medal gymnast **Nadia Comaneci** is 57. Actor **Sam Lloyd** is 55. Rock musician **David Ellefson** is 54. Retired MLB All-Star **Sammy Sosa** is 50. Figure skater **Tonya Hard-ing** is 48. Actress **Rebecca Wisocky** is 47. Actress **Radha Mitchell** is 45. Actress **Lourdes Benedicto** is 44.

LOTTERY

Sunday, Nov. 11

**Pick 2**  
Early drawing: 9-8  
Night drawing: 4-5

**Pick 3**  
Early drawing: 5-5-7  
Night drawing: 8-0-0

**Pick 4**  
Early drawing: 5-9-8-0  
Night drawing: 0-4-9-5

**Pick 5**  
Early drawing: 8-5-8-4-0  
Night drawing: 6-2-7-1-0

**Fantasy 5**  
6-9-13-19-29

**SATURDAY’S RESULTS**  
**Lotto**  
26-30-35-39-45-46

Match...Payoff...Winners

6-of-6...\$9 M...0-Rollover  
5-of-6...\$8,570.50...2  
4-of-6...\$87.50...838  
3-of-6...\$5.50...18,628

**Fantasy 5**  
5-6-12-17-32

Match...Payoff...Winners

5-of-5...\$227,273.71...1  
4-of-5...\$115.50...317  
3-of-5...\$9.50...101,735

# Battle of beers

**Pabst believes MillerCoors is actively trying to put it out of business**

**By Ivan Moreno**  
The Associated Press

MILWAUKEE — Pabst Brewing Company and MillerCoors are going to trial, with hipster favor-ite Pabst contending that MillerCoors wants to put it out of business by ending a longstand-ing partnership through which it brews Pabst’s beers.

The case has high stakes for Pabst, whose lawyers argue that the company’s very existence relies on the partnership with Chicago-based MillerCoors, which pro-duces, packages and ships nearly all its prod-ucts, which include Pabst Blue Ribbon, Old Mil-waukee, Natty Boh and Lone Star. MillerCoors, meanwhile, says it’s not

obligated to continue brewing for Pabst and that Pabst doesn’t want to pay enough to justify doing so.

The trial in Milwaukee County Circuit Court begins Monday and is scheduled through Nov. 30.

Pabst’s attorneys have said in court doc-uments and hearings that MillerCoors LLC is lying about its brew-ing capacity to break away from Pabst and capture its share of the cheap beer market by disrupting Pabst’s abil-ity to compete.

At a March hearing in which MillerCoors tried to have the lawsuit dismissed, Pabst attor-ney Adam Paris said “stunning documents” obtained from MillerCoors show that it went as far as hiring a consultant to “figure out ways to get rid of us.” MillerCoors has called that a mis-characterization of the



**Cases of Pabst Blue Ribbon and Coors Light are stacked next to each other Thursday in a Milwaukee liquor store.** [IVAN MORENO/THE ASSOCIATED PRESS]

consultant’s work.

The 1999 agreement between MillerCoors and Pabst, which was founded in Milwaukee in 1844 but is now head-quartered in Los Angeles, expires in 2020 but pro-vides for two possible five-year extensions. The companies dispute how the extensions should be negotiated: MillerCoors argues that it has sole discretion to determine whether it can con-tinue brewing for Pabst, whereas Pabst says the

companies must work “in good faith” to find a solution if Pabst wants to extend the agreement but MillerCoors lacks the capacity.

Pabst needs 4 million to 4.5 million barrels brewed annually and claims MillerCoors is its only option. It is seeking more than \$400 mil-lion in damages and for MillerCoors to be ordered to honor its contract.

During 2015 negotia-tions about extending the contract, MillerCoors

announced it would close its brewing facility in Eden, North Carolina, and that it eventually might have to shutter another facility in Irwin-dale, California. Pabst contends that MillerCoors refused to provide any information to substanti-ate its claim that it would no longer have the capac-ity to continue brewing Pabst’s beers, and that it wouldn’t consider leas-ing the Eden facility and would only sell it for an “astronomical” price.

## Democratic gains may mean tighter gun, looser pot laws

**By David A. Lieb and Geoff Mulvihill**  
The Associated Press

From New York to New Mexico, residents in a number of states can expect a leftward push for expanded health care coverage, gun control, education funding and legalized recreational marijuana as Demo-crats who gained new or stronger powers in the midterm elections seek to put their stamp on public policy.

While Republicans remain in charge in more states, Democrats nearly doubled the number of places where they will wield a trifecta of power over the governor’s office and both chambers of the state legislature. Democrats also broke up several Republican strongholds, forcing GOP lawmakers who have been cutting taxes and curbing union powers to deal with a new reality of a Democratic governor.

All told, Democrats gained seats in 62 of the 99 state legislative



**In this Nov. 6 photo, New York Gov. Andrew Cuomo, right, stands with Lieutenant Governor Kathy Hochul during an election night watch party hosted by the New York State Democratic Committee in New York.** [MARY ALTAFFER/THE ASSOCIATED PRESS]

chambers, according to data provided by the National Conference of State Legislatures (Nebraska is the lone state with a single leg-islature). Democrats also added seven new governorships.

In New York, where a new Democratic-run Senate will provide the missing link in liber-als’ political power, the expansive agenda could go beyond guns, pot and health care to also

include more protec-tions for abortion rights and higher taxes on millionaires.

“We will finally give New Yorkers the pro-gressive leadership they have been demanding,” said Sen. Andrea Stew-art-Cousins, who stands to lead the Senate when the new session begins in January.

The U.S. is a deeply divided nation politi-cally, a fact reflected in a midterm vote that

gave Democrats the U.S. House while adding to the Republican majority in the U.S. Senate. But within states, the over-all outcome of the 2018 elections was a contin-ued trend of one-party control — Democrats in some places, Republicans in others.

For the first time since 1914, there will be only one state — Minnesota — with its two legislative chambers led by different parties.

If Republican guber-natorial candidates maintain their slim leads in Florida and Georgia, Republicans will hold full control over the governor’s office and legislative chambers in 22 states compared with 14 for Democrats. Just 13 states will have a split partisan control between the governor’s office and legislature, nearly matching the 60-year low point set in 2012.

There also has been a decrease in ticket-split-ting between governors and state attorneys gen-eral, with the number of

such divisions expected to decline from 12 to 10 as a result of Tuesday’s elections.

“This is the most hyper-polarized, hyper-partisan time we’ve see in generations, and nobody can deny that,” said Illinois state Sen. Toi Hutchinson, a Democrat who is president of the National Conference of State Legislatures.

Illinois is one of a half-dozen states where Tuesday’s election put Democrats in control of the governor’s office and legislature.

Democrat J.B. Pritzker, who ousted Republi-can Gov. Bruce Rauner, wants to legalize and tax recreational marijuana. He also has promised to push for a constitutional amendment to replace Illinois’ flat income tax system with a progres-sive one that requires the wealthy to pay a greater share.

Democrats also are planning aggressive agendas in other states where they expanded their political power.

## Thousands protest cancellation of new Mexico City airport

The Associated Press

MEXICO CITY — Thousands of people marched in Mexico City in opposition to President-elect Andres Manuel Lopez Obrador’s plans to cancel a new \$13 billion airport for the capital.

Marchers dismissed the referendum that led to the cancellation as unconstitutional and compared Lopez Obrador to Venezuela’s President Nicolas Maduro.

Last month, 70 per-cent of participants voted against continuing the project, which Lopez

Obrador has criticized as too costly. Just over 1 million people voted.

Critics quickly dismissed Sunday’s dem-onstration as the “Fifi march” on social media. Lopez Obrador had taken to calling frivolous things “fifi.”

Many of the marchers

appeared to be of a social class seldom seen marching in the capital’s streets.

The new airport is already about one-third completed. Lopez Obra-dor takes office Dec. 1.

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GF-GH048703

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GF-GH048710

**PUBLIC NOTICE**

A neighborhood workshop will be held to discuss a proposed Rezoning from U6 to U8 for parcel numbers 14091, 14092, 14093, 14026, 14027, 14029, 14030, 14031, 14032, 14033, 14034, and 14035 located on the 400 and 500 blocks of the east side of NW 13th Street.

This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposed rezoning and to seek their comments.

The meeting will be held at 6:00 p.m. on November 26, 2018 at United Church of Gainesville, Seminar Room B, 1624 NW 5th Ave., Gainesville, FL 32603.

**eda**  
engineers • surveyors • planners

Contact: Clay Sweger, AICP, LEED AP  
eda engineers-surveyors-planners, inc.  
(352) 373-3541

GF-GH047377

**PUBLIC NOTICE**

A neighborhood workshop will be held to discuss a proposed Special Use Permit for a medical marijuana dispensing facility in an existing building at 4880 Newberry Road, Suite 140, parcel numbers 6545-55 and 6545-55-1. This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposed development and to seek their comments.

The meeting will be held at 6:00 p.m. on November 27, 2018 at Millhopper Library located at 3145 NW 43rd St., Gainesville, FL 32606.

**eda**  
engineers • surveyors • planners

Contact: Clay Sweger, AICP, LEED AP  
eda engineers-surveyors-planners, inc.  
(352) 373-3541

GF-GH047376

**The Gainesville Sun**

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## **NEIGHBORHOOD WORKSHOP NOTICE**

Date: November 27, 2018  
Time: 6:00 PM  
Place: Millhopper Library  
3145 NW 43rd Street  
Gainesville, FL 32606  
Contact: eda engineers–surveyors–planners, inc. at (352) 373-3541

A neighborhood workshop will be held to discuss a proposed Special Use Permit for a medical marijuana dispensing facility in an existing building at 4880 W. Newberry Road, Suite 140. This is not a public hearing. The purpose of this meeting is to inform neighboring property owners of the proposed development and to seek their comments.



**Neighborhood Workshop Notice**

06579-052-013 CP Marijuana Dispensary  
ANGULO MISAEL & CANDACE  
2003 NW 181ST AVE  
PEMBROKE PINES FL 33029,

**Neighborhood Workshop Notice**

06579-051-004 CP Marijuana Dispensary  
AQUILINA JOHN C JR & JANINE T  
141 WISE RD  
FRANKLIN TN 37054-8313,

**Neighborhood Workshop Notice**

06571-043-005 CP Marijuana Dispensary  
ARANGO PORPERTIES LLC  
9573 SW 101ST AVE  
GAINESVILLE FL 32608,

**Neighborhood Workshop Notice**

06579-052-016 CP Marijuana Dispensary  
BEACHER & BEACHER  
9689 SW 99TH PL  
GAINESVILLE FL 32608-6088,

**Neighborhood Workshop Notice**

06579-052-026 CP Marijuana Dispensary  
BEDOYA & GUZMAN & GUZMAN  
4141 NW 37TH PL #B  
GAINESVILLE FL 32606-6147,

**Neighborhood Workshop Notice**

06571-043-029 CP Marijuana Dispensary  
BLACK JOSEPH E TRUSTEE  
10431 NW 35TH PL  
GAINESVILLE FL 32606,

**Neighborhood Workshop Notice**

06576-024-002 CP Marijuana Dispensary  
BRANCH SHEILA  
402 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-051-006 CP Marijuana Dispensary  
BULLARD & BULLARD CO-TRUSTEES  
3912 NW 25TH CIR  
GAINESVILLE FL 32606-7413,

**Neighborhood Workshop Notice**

06579-051-005 CP Marijuana Dispensary  
CANDELORA ALFREDO & REBECCA L  
4947 POMPAÑO DR  
NEW PORT RICHEY FL 34652,

**Neighborhood Workshop Notice**

06571-043-057 CP Marijuana Dispensary  
CHESROWN & CHESROWN  
357 NW 48TH BLVD #105  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06545-051-000 CP Marijuana Dispensary  
CIRULLI J D  
PO BOX 357306  
GAINESVILLE FL 32635-7306,

**Neighborhood Workshop Notice**

06579-052-012 CP Marijuana Dispensary  
COLSON JUDITH S  
566 NW 50TH BLVD  
GAINESVILLE FL 32607-2214,

**Neighborhood Workshop Notice**

06545-053-001 CP Marijuana Dispensary  
COURTYARDS OF GVILLE OWNERS ASSN  
3705 SW 2ND PL  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-052-011 CP Marijuana Dispensary  
COX STEVEN WESLEY & CLAUDIA C  
2806 LONGLEAF RD  
PANAMA CITY FL 32405,

**Neighborhood Workshop Notice**

06579-051-010 CP Marijuana Dispensary  
DUNCAN JAMES S  
PO BOX 357400  
GAINESVILLE FL 32635-7400,

**Neighborhood Workshop Notice**

06579-052-020 CP Marijuana Dispensary  
ERENGUC SAHIN SELCUK & NURHAN  
5229 NW 67TH ST  
GAINESVILLE FL 32653,

**Neighborhood Workshop Notice**

06579-052-023 CP Marijuana Dispensary  
FARRINGTON JENNIFER J  
534 NW 50TH BLVD #23  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-043-025 CP Marijuana Dispensary  
FINLEY MARTHA CLAUDETTE TRUSTEE  
325 NW 48TH BLVD  
GAINESVILLE FL 32607-2202,

**Neighborhood Workshop Notice**

06579-051-008 CP Marijuana Dispensary  
FORDE JUSTIN J  
509 NW 50TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06576-024-054 CP Marijuana Dispensary  
FOSTER TAMMY G  
454 NW 48TH BLVD  
GAINESVILLE FL 32607-2207,

**Neighborhood Workshop Notice**

06545-052-001 CP Marijuana Dispensary  
FOUR POINT ZERO HOLDINGS  
1437 GLENHEATHER DR  
WINDERMERE FL 34786,

**Neighborhood Workshop Notice**

06579-052-022 CP Marijuana Dispensary  
FROISETH DAVID & KATHY  
1247 NW 118TH ST  
GAINESVILLE FL 32606,

**Neighborhood Workshop Notice**

06544-020-001 CP Marijuana Dispensary  
GAINESVILLE HEALTH & FITNESS  
PO BOX 357306  
GAINESVILLE FL 32635-7306,

**Neighborhood Workshop Notice**

06545-056-002 CP Marijuana Dispensary  
GARDNER CHIROPRACTIC & SPORTS  
REHAB CENTER INC  
4741 NW 8TH AVE #B  
GAINESVILLE FL 32605,

**Neighborhood Workshop Notice**

06579-052-021 CP Marijuana Dispensary  
GATOR GUMS REAL ESTATE  
INVESTMENTS LLC  
135 SAN LORENZO AVE #660  
CORAL GABLES FL 33146,

**Neighborhood Workshop Notice**

06576-024-010 CP Marijuana Dispensary  
GLUZDAKOV & SUKUSHINA  
410 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-051-007 CP Marijuana Dispensary  
GOLDSTEIN & WINNINGHAM H/W  
513 NW 50TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-052-025 CP Marijuana Dispensary  
GONZALEZ RUDOLFO ANTONIO MOLI  
526 NW 50TH BLVD  
GAINESVILLE FL 32607-2214,

**Neighborhood Workshop Notice**

06545-052-002 CP Marijuana Dispensary  
GREAT OAK PROPERTIES OF NORTH  
4343 W NEWBERRY RD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06545-057-002 CP Marijuana Dispensary  
GT MARICAMP LLC  
614 S ROLAND ST  
BUSHNELL FL 33513,

**Neighborhood Workshop Notice**

06589-014-041 CP Marijuana Dispensary  
GUYOT MATTHEW M & ELAINE M  
216 N ARABELLA WAY  
ST JOHNS FL 32259,

**Neighborhood Workshop Notice**

06571-043-065 CP Marijuana Dispensary  
HAESLER JASON LEE  
365 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-043-061 CP Marijuana Dispensary  
HELINGER & HELINGER  
8034 STIMIE AVE N  
ST PETERSBURG FL 33710,

**Neighborhood Workshop Notice**

06571-043-013 CP Marijuana Dispensary  
HOMEWOOD & HOMEWOOD  
3424 NW 15TH PL  
GAINESVILLE FL 32605,

**Neighborhood Workshop Notice**

06579-052-017 CP Marijuana Dispensary  
JAMES JOHN MATTHEW  
558 NW 50TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06589-024-005 CP Marijuana Dispensary  
JOHNSON EDGAR & KATHERINE  
15136 SW 109TH ST  
MIAMI FL 33196,

**Neighborhood Workshop Notice**

06576-024-046 CP Marijuana Dispensary  
JOHNSTON & MORGAN  
PO BOX 6  
NEWBERRY FL 32669,

**Neighborhood Workshop Notice**

06579-052-028 CP Marijuana Dispensary  
JPRRE LLC  
1315 SWEETWATER COVE #202  
NAPLES FL 34119,

**Neighborhood Workshop Notice**

06579-052-015 CP Marijuana Dispensary  
KANAREK & KANAREK  
578 NW 50TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-052-029 CP Marijuana Dispensary  
KHAMBATTA & OGRA W/H & NUGGUD  
510 NW 50TH #510  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-052-014 CP Marijuana Dispensary  
KILLAM RACHEL C LIFE ESTATE  
1654 SW 16TH ST  
GAINESVILLE FL 32608,

**Neighborhood Workshop Notice**

06571-043-009 CP Marijuana Dispensary  
KLEIN M LOUIS  
309 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06545-052-003 CP Marijuana Dispensary  
KROPP BUSINESS GROUP LLC  
4881 NW 8TH AVE #3  
GAINESVILLE FL 32605-4582,

**Neighborhood Workshop Notice**

06576-024-022 CP Marijuana Dispensary  
LEAR WILLIAM & PAMELA  
422 NW 48TH BLVD  
GAINESVILLE 32607,

**Neighborhood Workshop Notice**

06545-052-004 CP Marijuana Dispensary  
LERNER OFFICE LLC  
15839 NW 94TH AVE  
ALACHUA FL 32615-6712,

**Neighborhood Workshop Notice**

06579-051-009 CP Marijuana Dispensary  
LEWIS MATHEW TYLER & ANGELA  
NICHOLE  
505 NW 50TH BLVD  
GAINESVILLE FL 32607-2215,

**Neighborhood Workshop Notice**

06571-043-073 CP Marijuana Dispensary  
LIU & MA W/H  
6486 WETHEROLE ST APT 6-C  
REGO PARK NY 11374-4198,

**Neighborhood Workshop Notice**

06579-052-019 CP Marijuana Dispensary  
LONGWORTH ALICIA  
550 NW 50TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-043-037 CP Marijuana Dispensary  
MATCH MADE PROPERTIES # 1 LLC  
5745 SW 75TH ST PMB 186  
GAINESVILLE FL 32608,

**Neighborhood Workshop Notice**

06571-054-017 CP Marijuana Dispensary  
MCDUGAL & MCDUGAL  
417 NW 48TH ST PMB  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06589-014-045 CP Marijuana Dispensary  
MILL POND CONDOMINIOM ASSO  
4400 NW 36TH AVE  
GAINESVILLE FL 32606,

**Neighborhood Workshop Notice**

06579-052-027 CP Marijuana Dispensary  
NAIRN MICHAEL & LEISA J  
1019 RUSTLER PEAK ST  
CENTRAL POINT OR 97502-8623,

**Neighborhood Workshop Notice**

06576-024-050 CP Marijuana Dispensary  
NALES JENNA LEIGH  
450 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-043-049 CP Marijuana Dispensary  
NEO PINGCHIEN  
349 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06545-057-003 CP Marijuana Dispensary  
NEWMAN LAWRENCE H  
PO BOX 392  
PROT SALERNO FL 34992-0392,

**Neighborhood Workshop Notice**

06579-052-024 CP Marijuana Dispensary  
NIELSEN ROBERT A & TERRIE N  
6410 NW 44TH PL  
GAINESVILLE FL 32606,

**Neighborhood Workshop Notice**

06576-024-058 CP Marijuana Dispensary  
PORTO & PORTO  
458 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-052-018 CP Marijuana Dispensary  
PUNZAK DAVID & LINDA  
1310 45TH AVE NORTH  
ST PETERSBURG FL 33703,

**Neighborhood Workshop Notice**

06571-043-041 CP Marijuana Dispensary  
RIDDLE & RIDDLE CO-TRUSTEES  
5119 SW 9TH LN  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-051-003 CP Marijuana Dispensary  
RUST & RUST  
529 NW 50TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06576-024-034 CP Marijuana Dispensary  
RYAN MARY P  
434 NW 48TH BLVD  
GAINESVILLE FL 32607-2207,

**Neighborhood Workshop Notice**

06571-043-001 CP Marijuana Dispensary  
SCALF TIFFANY L  
301 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06576-024-030 CP Marijuana Dispensary  
SCHLENKER & SCHLENKER TRUSTEES  
50 JACQUELINE CIRCLE  
GLENMOORE PA 19343,

**Neighborhood Workshop Notice**

06571-043-033 CP Marijuana Dispensary  
SHRIVASTAV RAHUL  
180 WEDGEFIELD LN  
ATHENS GA 30607-1232,

**Neighborhood Workshop Notice**

06579-051-001 CP Marijuana Dispensary  
SMITH EILEEN MCCARTHY TRUSTEE  
5200 SW 25TH BLVD #1227  
GAINESVILLE FL 32608,

**Neighborhood Workshop Notice**

06571-043-021 CP Marijuana Dispensary  
STEBBINS CHANDA L  
321 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06545-057-000 CP Marijuana Dispensary  
SUITE DREAMS TOO OFFICE OWNERS  
4961 NW 14TH AVE #A  
GAINESVILLE FL 32605,

**Neighborhood Workshop Notice**

06571-043-017 CP Marijuana Dispensary  
TASLIMI FOUAD  
317 SW 120TH ST  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-054-009 CP Marijuana Dispensary  
THOMPSON ASHLEY N  
409 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06589-024-001 CP Marijuana Dispensary  
UNI-PROPERTIES LLC  
7317 NW 14TH AVE  
GAINESVILLE FL 32605,

**Neighborhood Workshop Notice**

06545-053-000 CP Marijuana Dispensary  
VAN DYKE WILLIAM K & LAURA M  
7337 SW 120TH ST  
GAINESVILLE FL 32608-5774,

**Neighborhood Workshop Notice**

06576-024-018 CP Marijuana Dispensary  
VANDER MEER & VANDER MEER  
5650 A1A SOUTH #F115  
ST AUGUSTINE FL 32084,

**Neighborhood Workshop Notice**

06545-054-000 CP Marijuana Dispensary  
VANDYKE WILLIAM K & LAURA M  
4960 W NEWBERRY RD #200  
GAINESVILLE FL 32607-2201,

**Neighborhood Workshop Notice**

06571-054-021 CP Marijuana Dispensary  
VELLAKE KERRY A  
421 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06576-024-042 CP Marijuana Dispensary  
VIEHWEG DOUGLAS K & SHARON C  
5601 W 155TH ST  
SHAWNEE MISSION KS 66223,

**Neighborhood Workshop Notice**

06545-059-000 CP Marijuana Dispensary  
VYSTAR CREDIT UNION  
4949 BLANDING BLVD  
JACKSONVILLE FL 32210,

**Neighborhood Workshop Notice**

06576-024-014 CP Marijuana Dispensary  
WAGNER JENNIFER M  
414 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-043-045 CP Marijuana Dispensary  
WENTWORTH SANDRA A  
345 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06545-055-000 CP Marijuana Dispensary  
WHITEHILL MILDRED JANE  
3705 SW 2ND PL  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06579-051-002 CP Marijuana Dispensary  
WHITNEY CANDICE M  
3773 GOLDEN REEDS LN  
JACKSONVILLE FL 32224,

**Neighborhood Workshop Notice**

06571-043-053 CP Marijuana Dispensary  
WILLEMYS DANIEL L & KATHLEEN J  
353 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06576-024-038 CP Marijuana Dispensary  
YAZEDJIAN DIANE  
438 NW 48TH BLVD  
GAINESVILLE FL 32607,

**Neighborhood Workshop Notice**

06571-054-013 CP Marijuana Dispensary  
YEH SHU-HAN  
413 NW 48TH BLVD  
GAINESVILLE FL 32607,

Neighborhood Workshop Notice

5th Avenue  
ROBERTA PARKS  
616 NW 8 ST  
GAINESVILLE, FL 32602

Neighborhood Workshop Notice

CITY OF GAINESVILLE  
ATTN: MIKE HOGE  
PO BOX 490 MS 11  
GAINESVILLE, FL 32627

Neighborhood Workshop Notice

Ashton  
ROXANNE WATKINS  
4415 NW 58 AVE  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Azalea Trails  
MARIE SMALL  
1265 SE 12 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

REGINA HILLMAN  
506 NW 30 STREET  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Capri  
JOHN DOLES  
4539 NW 37 TER  
GAINESVILLE, FL 32605

b

Neighborhood Workshop Notice

Carol Estates South  
BECKY RUNNESTRAND  
1816 NE 16 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Cedar Grove II  
HELEN HARRIS  
1237 NE 21 ST  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Creekwood  
HELEN SCONYERS  
2056 NW 55 BLVD.  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Debra Heights  
SARAH POLL  
PO BOX 14198  
GAINESVILLE, FL 32604

Neighborhood Workshop Notice

Northwood at Possum Creek  
WES WHEELER  
4728 NW 37 WAY  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Duval  
GILBERT S MEANS, SR  
2153 SE HAWTHORNE RD, #111  
PO BOX 7  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Edgewood Hills  
BONNIE O'BRIAN  
2329 NW 30 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

LEE NELSON  
DIRECTOR OF REAL ESTATE – UF  
PO BOX 113135  
GAINESVILLE, FL 32611-3135

Neighborhood Workshop Notice

Gateway Park  
HAROLD SAIVE  
1716 NW 10 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Golfview  
CHRIS MONAHAN  
222 SW 27 ST  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Greater Northeast Community  
MIRIAM CINTRON  
915 NE 7 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Grove Street  
MARIA HUFF-EDWARDS  
1102 NW 4 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Hazel Heights  
ALLAN MOYNIHAN  
PO BOX 357412  
GAINESVILLE, FL 32635

Neighborhood Workshop Notice

Hibiscus Park  
CAROL BISHOP  
2616 NW 2 AVE  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Hidden Lake  
GEORGE KASNIC  
2116 NW 74 PL  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Ironwood  
NANCY TESTA  
4207 NE 17 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Kensington Park  
MAXINE HINGE  
5040 NW 50 TER  
GAINESVILLE, FL 32606

Neighborhood Workshop Notice

Kingswood Court  
JOHN ORTON  
5350 NW 8 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Kirkwood  
JANE BURMAN-HOLTON  
701 SW 23 PL  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Lamplighter  
LARRY NICHOLSON (PROP MGR)  
5200 NE 50 DR  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

Landmark Woods  
JACK OSGARD  
4332 NW 12 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Woodland Terrace  
PETER PRUGH  
207 NW 35 ST  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Lincoln Estates  
DORIS EDWARDS  
1040 SE 20 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Mason Manor  
JOANNA LEATHERS  
2550 NW 13 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
North Lincoln Heights  
ANDREW LOVETTE SR.  
430 SE 14 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Northeast Historic District  
SHARON BAUER  
1011 NE 1 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Northwest Estates  
VERN HOWE  
3710 NW 17 LN  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Oakview  
DEBRA BRUNER  
914 NW 14 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Appletree  
JUDITH MORROW  
3616 NW 54 LANE  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice  
Pine Park  
DELORES BUFFINGTON  
721 NW 20 AVE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Kirkwood  
KATHY ZIMMERMAN  
1127 SW 21 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Pleasant Street  
DOTTY FAIBISY  
505 NW 3 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Porters Community  
GIGI SIMMONS  
712 SW 5 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice  
Rainbows East  
JOE THOMAS  
5014 NW 24 TER  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Rainbows End  
SYLVIA MAGGIO  
4612 NW 21 DR  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Raintree  
RONALD BERN  
1301 NW 23 TER  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Ridgeview  
ROB GARREN  
1805 NW 34 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Ridgewood  
KERRI CHANCEY  
1310 NW 30 ST  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Royal Gardens  
DOUGLAS BURTON  
2720 NW 27 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Shadow Lawn Estates  
CONNIE SPITZNAGEL  
3521 NW 35 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
South Black Acres  
DEANNA MONAHAN  
14 SW 32 ST  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice  
Southeast Evergreen Trails  
MAUREEN RESCHLY  
1208 SE 22 AVE  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Springhill/Mount Olive  
VIVIAN FILER  
1636 SE 14 AVE  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice  
Springtree  
KATHY MEISS  
2705 NW 47 PL  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Stephen Foster  
ROBERT PEARCE  
714 NW 36 AVE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice  
Suburban Heights  
BETH GRAETZ  
4321 NW 19 AVE  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice  
Sugarfoot Community/Anglewood  
HEATHER REILLY  
426 SW 40 TERRACE  
GAINESVILLE, FL 32607



Neighborhood Workshop Notice

Sugarhill  
CYNTHIA COOPER  
1441 SE 2 TER  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Sutters Landing  
PETER REBMAN  
3656 NW 68 LN  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Turkey Creek Forest Owners Assn  
ATTN: URBAN DIRECTOR  
8620 NW 13 ST  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

University Village  
BRUCE DELANEY  
1710 NW 23 ST  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Forest Ridge/Henderson Heights  
JUANITA CASAGRANDE  
1911 NW 22 DRIVE  
GAINESVILLE, FL 32605-3953

Neighborhood Workshop Notice

Appletree  
CHRIS GARCIA  
5451 NW 35 DR  
GAINESVILLE, FL 32653

Neighborhood Workshop Notice

Ashton  
ASHTON HOMEOWNERS ASSOC  
5200 NW 43 ST STE 102  
GAINESVILLE, FL 32606

Neighborhood Workshop Notice

Duckpond  
STEVE NADEAU  
2821 NW 23 DR  
GAINESVILLE, FL 32605

Neighborhood Workshop Notice

Duckpond  
MELANIE BARR  
216 NE 5 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Front Porch Florida, Duval  
JUANITA MILES HAMILTON  
2419 NE 8 AVE  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

Porters  
RUBY WILLIAMS  
237 SW 6 ST  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Porters  
INA HINES  
320 SW 5 AVE  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

School Board  
VICK McGRATH  
3700 NE 53 AVE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

University of Florida  
LINDA DIXON  
PO BOX 115050  
GAINESVILLE, FL 32611

Neighborhood Workshop Notice

University Park  
ROBERT MOUNTS  
1639 NW 11 RD  
GAINESVILLE, FL 32605-5319

Neighborhood Workshop Notice

Millennium Bank  
DANNY GILLILAND  
4340 NEWBERRY RD  
GAINESVILLE, FL 32607

Neighborhood Workshop Notice

Florida Bank  
LAUDE ARNALDI  
13840 W NEWBERRY RD  
NEWBERRY, FL 32669

Neighborhood Workshop Notice

MAC McEACHERN  
1020 SW 11 TER  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Stephen Foster Neighborhood Assoc, Inc  
MARIA PARSONS  
439 NW 37 AVENUE  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

BOBBIE DUNNELL  
3118 NE 11 TER  
GAINESVILLE, FL 32609

Neighborhood Workshop Notice

JAMES WOODLAND  
225 SE 14 PL  
GAINESVILLE, FL 32601

Neighborhood Workshop Notice

Bivens North Association  
PENNY WHEAT  
2530 SW 14 DR  
GAINESVILLE, FL 32608

Neighborhood Workshop Notice

BELLINGTON'S CUSTOM SERVICE  
% BRAXTON LINTON  
1907 SE HAWTHORNE RD  
GAINESVILLE, FL 32641

Neighborhood Workshop Notice

KAREN BILLINGS  
2123 NW 72 PL  
GAINESVILLE, FL 32653



## Neighborhood Meeting Minutes

**Project:** Proposed Special Use Permit

**Meeting Date & Time:** November 27, 2018 at 6:00 PM

**Location:** Millhopper Library  
Meeting Room B  
3145 NW 43<sup>rd</sup> Street  
Gainesville, FL 32606

**Community Participants:** 1

**Attendees:** As listed on attached Sign-in-Sheet  
Ashley Scannella, eda

### **Project Representatives:**

Planners: Clay Sweger & Onelia Lazzari, eda

Developer: Danny Dietz, GrowHealthy

### **Meeting Minutes:**

- Onelia introduced eda and the project, a proposed special use permit for a medical marijuana dispensary. This dispensary will not distribute marijuana for recreational use. Florida law specifies 13 medical conditions that qualify for medical marijuana. State law specifies security requirements including 24/7 alarm & video monitoring, emergency protocols, and access control. The city of Gainesville regulates medical marijuana dispensaries as if they were pharmacies. A special use permit is required in the Corporate Park (CP) zoning district. They are allowed by right in the other zoning districts. There are 2 existing facilities in Gainesville. The hours of operation are limited to 8 am to 9 pm.

Q: When do you expect the facility might open?

A: Most likely June or July of 2019.

# PROPERTY OWNER AFFIDAVIT

Owner Name: <u>Mildred Jane Whitehill</u>			
Address: 3705 SW 2nd Place Gainesville, FL 32607		Phone:	
Agent Name: <u>eda engineers-surveyors-planners, inc.</u>			
Address: 2404 NW 43rd St. Gainesville, FL 32606		Phone: <u>352-373-3541</u>	
Parcel No.: <u>06545-055-000</u>			
Acreage: <u>0.36 +/-</u>	S: <u>03</u>	T: <u>10</u>	R: <u>19</u>
Requested Action: <u>Special Use Permit</u>			

**I hereby certify that:** I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner signature: Mildred Jane Whitehill

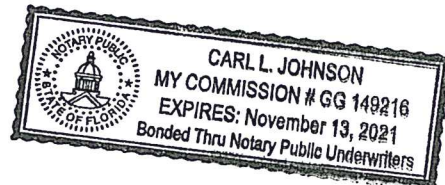
Printed name: MILDRED JANE WHITEHILL

Date: NOVEMBER 12, 2018

The foregoing affidavit is acknowledged before me this 12<sup>th</sup> day of November, 2018, by Mildred Jane Whitehill, who is/are personally known to me, or who has/have produced \_\_\_\_\_ as identification.

NOTARY SEAL

Signature of Notary Public, State of \_\_\_\_\_



## Property Search Results

The data displayed is the most current data available to the  
Property Appraiser.

Search Date: 11/29/2018 at 1:14:36 PM'

Printer Friendly Page

Parcel: 06545-055-000 [GIS Map](#)

<b>Taxpayer:</b> WHITEHILL, MILDRED JANE <b>Mailing:</b> 3705 SW 2ND PL GAINESVILLE, FL 32607 <b>9-1-1 Address:</b> 4880 NEWBERRY RD - STE 100 GAINESVILLE 4880 NEWBERRY RD - STE 140 GAINESVILLE 4880 NEWBERRY RD - STE 180 GAINESVILLE 4880 NEWBERRY RD GAINESVILLE <b>Sec-Twn-Rng:</b> 03-10-19 <b>Property Use:</b> 01700 - Office 1 Story <b>Tax Jurisdiction:</b> Gainesville 3600 <b>Area:</b> Commercial <b>Subdivision:</b> Placeholder	<b>Legal:</b> COM NE COR SEC W 1852 FT S 400 FT W 190.67 FT S 3.91 FT POB E 185.76 FT S 84 FT W 185.76 FT N 84 FT POB OR 3470/0082
--	--

	Property	Land	Land	Building	Misc	Total	Deferred	County	School	County	School	County	School
Year	Use	Value	Just Value	Value	Value	Just Value	Value	Assessed	Assessed	Exempt	Exempt	Taxable	Taxable
2018	Office 1 Story	156000	156000	736000	0	892000	0	892000	892000	0	0	892000	892000
2017	Office 1 Story	156000	156000	736000	0	892000	0	892000	892000	0	0	892000	892000
2016	Office 1 Story	156000	156000	730800	0	886800	0	886800	886800	0	0	886800	886800
2015	Office 1 Story	156000	156000	730800	0	886800	0	886800	886800	0	0	886800	886800
2014	Office 1 Story	156000	156000	730000	0	886000	0	886000	886000	0	0	886000	886000
2013	Office 1 Story	156000	156000	731600	0	887600	0	887600	887600	0	0	887600	887600
2012	Office 1 Story	156000	156000	809100	0	965100	0	965100	965100	0	0	965100	965100
2011	Office 1 Story	312100	312100	793300	0	1105400	0	1105400	1105400	0	0	1105400	1105400
2010	Office 1 Story	312100	312100	793300	0	1105400	0	1105400	1105400	0	0	1105400	1105400
2009	Office 1 Story	312100	312100	829800	600	1142500	0	1142500	1142500	0	0	1142500	1142500
2008	Office 1	312100	312100	838600	700	1151400	0	1151400	0	0	0	1151400	0

A horizontal timeline labeled "Story" with 12 tick marks, representing a sequence of events.

## Land

<u>Use</u>	<u>Zoning Type</u>	<u>Zoning Desc</u>	<u>Unit Type</u>	<u>Units</u>
Office 1 Story	CP		Square Feet	15603.84
			<b>2018 Certified Land Just Value: 156000</b>	<b>2018 Certified Land Assessed Value: 156000</b>

## Building

<b>Actual Year Built</b>	2000
<b>Effective Year Built</b>	2002
<b>Building Quality</b>	Above Average
<b>Building Style</b>	94
<b>Building Use</b>	4900 - Office Low Rise
<b>Bedrooms</b>	
<b>Baths</b>	
<b>Stories</b>	1.0
<b>Exterior Wall 1</b>	Tile/Wd Stucco
<b>Exterior Wall 2</b>	Face Brick
<b>Interior Wall 1</b>	Drywall
<b>Interior Wall 2</b>	Decorative
<b>Floor Cover 1</b>	Carpet
<b>Floor Cover 2</b>	Clay Tile
<b>Roof Cover</b>	Asphalt
<b>Roof Structure</b>	Wood Truss
<b>AC</b>	Central
<b>Heating Type</b>	Forced Air
<b>Heating System</b>	Electric
<b>Total Square Feet</b>	11968
<b>Heated Square</b>	10552

The floor plan shows an irregular shape divided into three main sections. The leftmost section is labeled 'BAS (1,899 sf)' and contains several smaller rectangular areas with dimensions like 25, 39, 19, 39, 21, 21, 44, and 19. The middle section is labeled 'CAN (1,416 sf)' and is connected to the left by a narrow passage. The rightmost section is labeled 'BAS (8,653 sf)' and is the largest area, containing dimensions like 145, 68, 82, 44, 8, 8, 132, and 126. A red line traces a path around the perimeter of the entire shape, starting from the top left and ending at the bottom right.

<a href="#">Feet</a>	
	-----
	-----
	-----
	-----
-	-----
	-----
	-----
<a href="#">Area Type</a>	<a href="#">Square Footage</a>
BAS (BASE AREA)	10552
CAN (CANOPY)	1416
<b>2018 Certified Building Value: 736000</b>	

#### Miscellaneous

<a href="#">Description</a>	<a href="#">Unit Type</a>	<a href="#">Units</a>
4240 - Gutter	UNITS	230
3800 - Drive/Walk	UNITS	730
<b>2018 Certified Miscellaneous Value: 0</b>		

#### Sale

Official Public Records information is provided by the Alachua County Clerk's Office. Clicking on these links will direct you to their web site displaying the document details for this specific transaction.

<a href="#">Date</a>	<a href="#">Price</a>	<a href="#">Vac/Imp</a>	<a href="#">Qualified</a>	<a href="#">OR Book</a>	<a href="#">OR Page</a>	<a href="#">Instrument</a>	<a href="#">OR Link (Clerk)</a>
09/26/2006	894300	I	U	3470	82	WD	<a href="#">Official Public Record</a>
01/22/2002	100	V	U	2420	848	WD	<a href="#">Official Public Record</a>
12/28/1999	250000	I	U	2269	2579	WD	<a href="#">Official Public Record</a>

#### Permit

County Permit information is supplied by the Alachua County Office of Codes Enforcement. The Alachua County Office of Codes Enforcement and the Property Appraiser's Office assume no liability whatsoever associated with the use or misuse of this public information data and will not be held liable as to the validity, correctness, accuracy, completeness, and / or reliability of this data.

<a href="#">Permit Number</a>	<a href="#">Permit Type</a>	<a href="#">Issue Date</a>	<a href="#">Final Date</a>	<a href="#">Appraisal Date</a>	<a href="#">Comment</a>
17-02464	BN	07/05/2017		12/06/2017	INTERIOR REMODEL OF OFFICE
17-02728	SI	06/06/2017		12/25/2017	Raymond James
16-04375	BN	09/07/2016	01/04/2017	12/06/2017	LEVEL II ALTERATION - Interior Renovations Main Floor
16-07084	SI	11/23/2016	12/20/2016	12/25/2016	Willis Towers Watson-installing wall sign
16-07579	BN	12/29/2016	02/28/2017	12/06/2017	Tenant separation & interior work

[Link to TaxCollector Record](#)

The information that is supplied by the Alachua County Property Appraiser's office is public information data and must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a

**Property Tax Roll per Florida Statute. The Alachua County Property Appraiser's Office will not be held liable as to the validity, correctness, accuracy, completeness, and / or reliability of this data. The Alachua County Property Appraiser's Office furthermore assumes no liability whatsoever associated with the use or misuse of this public information data.**

**Alachua County Property Appraiser • 515 N Main Street Suite 200 • Gainesville, FL 32601 • 352-374-5230 (FAX) 352-374-5278**





2018 Roll Details — Real Estate Account At 4880 NEWBERRY RD # STE 140

Print this page

Real Estate Account #06545 055 000



Parcel details



Latest bill



Full bill history

2018

2017

2016

2015

...

2002

PAID

PAID

PAID

PAID

PAID

Apply for the 2019 Installment Payment Plan



Get Bills by Email

**PAID** 2018-11-08 \$19,210.20

Receipt #18-0007961

Owner: WHITEHILL, MILDRED JANE

3705 SW 2ND PL

GAINESVILLE, FL 32607

Situs: 4880 NEWBERRY RD # STE 140

Account number: 06545 055 000

Alternate Key: 1048876

Millage code: 3600

Millage rate: 21.7808

Assessed value: 892,000

School assessed value: 892,000

Unimproved land value: 156,000

Google Maps Platform rejected your request. You must use an API key to authenticate each request to Google Maps Platform APIs. For additional information, please refer to <http://g.co/dev/maps-no-account>

Location is not guaranteed to be accurate.

Property Appraiser

2018 Annual bill



View

Ad valorem: \$19,428.48

Non-ad valorem: \$582.15

Total Discountable: 20010.63

No Discount NAVA: 0.00

Total tax:

Legal description

COM NE COR SEC W 1852 FT S 400 FT W 190.67 FT S 3.91 FT POB E 185.76 FT S 84 FT W 185.76 FT N 84 FT POB OR 3470/0082  
Location

Book, page, item: 3470-82-

Geo number: 03-10-19-06545055000

Range: 19

Township: 10

Section: 03

Neighborhood: 125303.50

Use code: 01700

Total acres: 0.358



Recording	\$	27.00
Doc Stamps	\$	6,260.10
Intangible Tax	\$	0
Total	\$	6,287.10

RECORDED IN OFFICIAL RECORDS  
 INSTRUMENT # 2279651 3 PGS  
 2006 SEP 27 04:27 PM BK 3470 PG 82  
 J. K. "BUDDY" IRBY  
 CLERK OF CIRCUIT COURT  
 ALACHUA COUNTY, FLORIDA  
 CLERK25 Receipt#302230  
 Doc Stamp-Deed: 6,260.10

Prepared by and return to:

James D. Salter, Esq.  
 Attorney at Law  
 Salter, Feiber, Murphy, Hutson, & Menet, P.A.  
 Post Office Box 357399  
 Gainesville, FL 32635-7399  
 352-376-8201  
 File Number: 06-1740.2 AL



[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 26th day of September, 2006 between **Lawrence H. Newman, an unmarried person** whose post office address is **300 SW 41st Street, Gainesville, FL 32607**, grantor, and **Mildred Jane Whitehill, an unmarried person** whose post office address is **3705 SW 2nd Place, Gainesville, FL 32607**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Alachua County, Florida** to-wit:

See Exhibit "A" attached hereto and made a part hereof.

Parcel Identification Number: 06545-055-000

Subject to covenants, conditions, restrictions, easements, reservations, and limitations of record, if any.

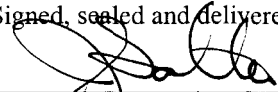
**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.


**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2005**.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Witness Name: JAMES D. SALTER


  
Lawrence H. Newman (Seal)

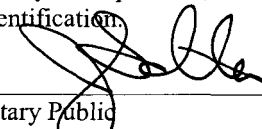
  
Witness Name: JAMES R. STEWART

State of Florida  
County of Alachua

The foregoing instrument was acknowledged before me this 26th day of September, 2006 by Lawrence H. Newman, who  
☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

NOTARY PUBLIC-STATE OF FLORIDA  
 **James D. Salter**  
Commission # DD541424  
Expires: MAY 30, 2010  
BONDED THRU ATLANTIC BONDING CO., INC.

  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

INSTRUMENT # 2279651

3 PGS

**EXHIBIT "A"**

**NEWMAN PARCEL:**

COMMENCE AT A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 197.60 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 3.91 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES 02 SECONDS EAST, 185.76 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 84.00 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 02 SECONDS WEST, 185.76 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS EAST, 84.00 FEET TO THE POINT OF BEGINNING.

# PROPERTY OWNER AFFIDAVIT

Owner Name: Courtyards of Gainesville Owners Assn., Inc.			
Address: 3705 SW 2nd Pl Gainesville, FL 32607		Phone:	
Agent Name: eda engineers-surveyors-planners, inc.			
Address: 2404 NW 43rd St. Gainesville, FL 32606		Phone: 352-373-3541	
Parcel No.: 06545-055-001			
Acreage: 0.87 +/-		S: 03	T: 10 R:19
Requested Action: Special Use Permit			

I hereby certify that: I am the owner of the subject property or a person having a legal or equitable interest therein. I authorize the above listed agent to act on my behalf for the purposes of this application.

Property owner signature: *Lawrence Newman*

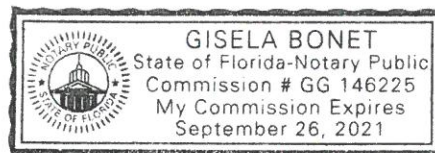
Printed name: Lawrence Newman

Date: 11/13/18

The foregoing affidavit is acknowledged before me this 13 day of November, 2018, by Lawrence Newman, who is/are personally known to me, or who has/have produced FL DL as identification.

NOTARY SEAL

Signature of Notary Public, State of Florida



## Property Search Results

The data displayed is the most current data available to the Property Appraiser.

Search Date: 11/6/2018 at 12:07:51 PM'

Printer Friendly Page

Parcel: 06545-055-001 [GIS Map](#)

<b>Taxpayer:</b> COURTYARDS OF GAINESVILLE, OWN <b>Mailing:</b> 3705 SW 2ND PL GAINESVILLE, FL 32607 <b>9-1-1 Address:</b> <b>Sec-Twn-Rng:</b> 03-10-19 <b>Property Use:</b> 00900 - Common Area <b>Tax Jurisdiction:</b> Gainesville 3600 <b>Area:</b> Commercial <b>Subdivision:</b> Placeholder	<b>Legal:</b> COM NE COR SEC W 1852 FT S 400 FT POB S 312 FT NWLY ALG R/W 217.14 FT N 228 FT E 200 FT POB (LESS ADDN R/W SR 26)(LESS COM NE COR SEC W 1852 FT S 400 FT W 190.67 FT S 3.91 FT POB E 185.76 FT S 84 FT W 185.76 FT N 84 FT POB PER OR 2420/0848)(LESS THAT PART OF THE FOLLOWING DESC: COM NE COR SEC W 1852 FT S 400 FT W 190.67 FT POB S 87.91 FT W 174.83 FT N 87.91 FT E 172.51 FT E 2.32 FT POB PER OR 2269/2602) OR 2420/0846
---	---

	<a href="#">Property</a>	<a href="#">Land</a>	<a href="#">Land</a>	<a href="#">Building</a>	<a href="#">Misc</a>	<a href="#">Total</a>	<a href="#">Deferred</a>	<a href="#">County</a>	<a href="#">School</a>	<a href="#">County</a>	<a href="#">School</a>	<a href="#">County</a>	<a href="#">School</a>
<a href="#">Year</a>	<a href="#">Use</a>	<a href="#">Value</a>	<a href="#">Just Value</a>	<a href="#">Value</a>	<a href="#">Value</a>	<a href="#">Just Value</a>	<a href="#">Value</a>	<a href="#">Assessed</a>	<a href="#">Assessed</a>	<a href="#">Exempt</a>	<a href="#">Exempt</a>	<a href="#">Taxable</a>	<a href="#">Taxable</a>
2018	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2017	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2016	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2015	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2014	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2013	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2012	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2011	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2010	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2009	Common Area	100	100	0	0	100	0	100	100	0	0	100	100
2008	Common Area	100	100	0	0	100	0	100	0	0	0	100	0

Land

<u>Use</u>	<u>Zoning Type</u>	<u>Zoning Desc</u>	<u>Unit Type</u>	<u>Units</u>
Common Area	CP		Unit	1
			<b>2018 Certified Land Just Value:</b> <b>100</b>	<b>2018 Certified Land Assessed Value:</b> <b>100</b>

#### Miscellaneous

<u>Description</u>	<u>Unit Type</u>	<u>Units</u>
1681 - Paving C	UNITS	1
0801 - D/W C	UNITS	1
2160 - Spr System	UNITS	1
<b>2018 Certified Miscellaneous Value: 0</b>		

#### Sale

Official Public Records information is provided by the Alachua County Clerk's Office. Clicking on these links will direct you to their web site displaying the document details for this specific transaction.

<u>Date</u>	<u>Price</u>	<u>Vac/Imp</u>	<u>Qualified</u>	<u>OR Book</u>	<u>OR Page</u>	<u>Instrument</u>	<u>OR Link (Clerk)</u>
01/22/2002	100	I	U	2420	846	MS	
01/20/1995	162000	I	Q	1997	819	WD	

[Link to TaxCollector Record](#)

The information that is supplied by the Alachua County Property Appraiser's office is public information data and must be accepted and used with the understanding that the data was collected primarily for the use and purpose of creating a Property Tax Roll per Florida Statute. The Alachua County Property Appraiser's Office will not be held liable as to the validity, correctness, accuracy, completeness, and / or reliability of this data. The Alachua County Property Appraiser's Office furthermore assumes no liability whatsoever associated with the use or misuse of this public information data.

Alachua County Property Appraiser • 515 N Main Street Suite 200 • Gainesville, FL 32601 • 352-374-5230 (FAX)  
352-374-5278



2017 Roll Details — Real Estate Account At Unassigned Location RE

Print this page

Real Estate Account #06545 055 001



Parcel details



Latest bill



Full bill history

2018	2017	2016	2015	...	2002
NO TAXES DUE	NO TAXES DUE	NO TAXES DUE	NO TAXES DUE		NO TAXES DUE

Get Bills by Email

No taxes due

**Owner:** COURTYARDS OF GAINESVILLE, OWN  
3705 SW 2ND PL  
GAINESVILLE, FL 32607  
**Situs:** Unassigned Location RE

**Account number:** 06545 055 001  
**Alternate Key:** 1048877  
**Millage code:** 3600  
**Millage rate:** 22.3751

**Assessed value:** 100  
**School assessed value:** 100  
**Unimproved land value:** 100

Flags

Taxes under minimum



Location is not guaranteed to be accurate.

Property Appraiser

2017 Annual bill



View

**Ad valorem:** \$2.24  
**Non-ad valorem:** \$0.00  
**Total Discountable:** 2.24  
**No Discount NAVA:** 0.00  
**Total tax:**

Legal description

COM NE COR SEC W 1852 FT S 400 FT POB S 312 FT NWLY ALG R/W 217.14 FT N 228 FT E 200 FT POB (LESS ADDN R/W SR 26)  
(LESS - COM NE COR SEC W 1852 FT S 400 FT W 190.67 FT S 3.91 FT POB E 185.76 FT S 84 FT W 185.76 FT N 84 FT POB PER  
OR - 2420/0848)(LESS THAT PART OF THE FOLLOWING DESC: COM NE COR SEC W 1852 FT S 400 FT W 190.67 FT POB S 87.91 FT W  
- 174.83 FT N 87.91 FT E 172.51 FT E 2.32 FT POB PER OR 2269/2602) OR 2420/0846

Location

**Book, page, item:** 2420-846-  
**Geo number:** 03-10-19-06545055001  
**Range:** 19  
**Township:** 10  
**Section:** 03  
**Neighborhood:** 125303.50  
**Use code:** 00900  
**Total acres:** 0.000







10.50  
76

Prepared by and return to:  
CARL L. JOHNSON  
Law Office of Carl L. Johnson  
4421 N.W. 39th Avenue, Bldg. 1, Suite 2  
Gainesville, FL 32606

Tax Parcel No.:  
Grantee(s) TIN:

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 1814312 2 PGS  
2002 FEB 06 02:33 PM BK 2420 PG 846  
J. K. "BUDDY" IRBY  
CLERK OF CIRCUIT COURT  
ALACHUA COUNTY, FLORIDA  
CLERK1 Receipt#082216  
Doc Stamp-Deed: 0.70  
By: Sandra D. Coplan D.C.

**THIS WARRANTY DEED**, Made this 22nd day of January, 2002, by **WILLIAM K. VAN DYKE and LAURA M. VAN DYKE**, Husband and Wife, hereinafter called the Grantor, to **COURTYARDS OF GAINESVILLE OWNER'S ASSOCIATION, INC.**, hereinafter called the Grantee, whose post office address is: 3705 SW 2<sup>nd</sup> Place, Gainesville, Florida 32607

(Wherever used herein the terms "Grantor" and "Grantee" includes all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

**WITNESSETH**, That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land, situate in Alachua County, State of Florida, viz:

Legal Description attached as Exhibit "A"

**TOGETHER**, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining,

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND** the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except real estate taxes accruing subsequent to December 31, 2001.

**IN WITNESS WHEREOF**, the said Grantor has caused these presents to be executed on the day and year first above written.

Signed, sealed and delivered in the presence of:

Carl L. Johnson  
Witness Signature

CARL L JOHNSON  
Printed Name

Suzanne Elliott Kneel  
Witness Signature

Suzanne Elliott Kneel  
Printed Name

William K. Van Dyke  
WILLIAM K. VAN DYKE

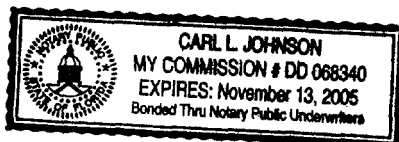
Laura M. Van Dyke  
LAURA M. VAN DYKE

STATE OF FLORIDA  
COUNTY OF ALACHUA

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **WILLIAM K. VAN DYKE and LAURA M. VAN DYKE**, known to me to be the person(s) described in and who executed the foregoing instrument and who acknowledged before me that he executed the same. (Check one) ☒ Said person is personally known to me OR ☐ has provided the following type of identification: \_\_\_\_\_.

WITNESS my hand and official seal in the County and State last aforesaid this 22nd day of January, 2002.

My Commission Expires:



Carl L. Johnson  
NOTARY PUBLIC

## EXHIBIT "A"

**Legal Description - Common Area**

BEGIN AT A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 05 MINUTES 14 SECONDS EAST, ALONG THE EAST LINE OF SAID PARCEL OF LAND, 311.68 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "LS 4116" ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 26 (A 100 FOOT RIGHT-OF-WAY);

THENCE NORTH 67 DEGREES 14 MINUTES 00 SECONDS WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 434.33 FEET TO A NAIL AND DISK STAMPED "LB 5075" AT THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 821 OF SAID PUBLIC RECORDS;

THENCE NORTH 00 DEGREES 01 MINUTES 34 SECONDS EAST, ALONG THE WEST LINE OF SAID PARCEL OF LAND, 158.04 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHWEST CORNER OF SAID PARCEL OF LAND;

THENCE SOUTH 89 DEGREES 53 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 199.97 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 821 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 12 MINUTES 02 SECONDS EAST ALONG THE EAST LINE OF SAID PARCEL OF LAND, 14.08 FEET TO A 4" X 4" CONCRETE MONUMENT (NO IDENTIFICATION) AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF SAID PUBLIC RECORDS;

THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 199.92 FEET TO THE POINT OF BEGINNING.

**LESS AND EXCEPT:**

COMMENCE AT A 4" X 4" CONCRETE MONUMENT NO IDENTIFICATION AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;

THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 197.60 FEET; TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 87.91 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 02 SECONDS WEST, 174.83 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS EAST, 87.91 FEET;

THENCE SOUTH 89 DEGREES 59 MINUTES 02 SECONDS EAST, 172.51 FEET TO A 4" X 4" CONCRETE MONUMENT NO IDENTIFICATION AT THE NORTHWEST CORNER OF THE AFOREMENTIONED PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF SAID PUBLIC RECORDS;

THENCE NORTH 89 DEGREES 59 MINUTES 22 SECONDS EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 2.32 FEET TO THE POINT OF BEGINNING.

**ALSO, LESS AND EXCEPT:**

COMMENCE AT A 4" X 4" CONCRETE MONUMENT NO IDENTIFICATION AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 1997, PAGE 819 OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA;

THENCE SOUTH 89 DEGREES 59 MINUTES 22 SECONDS WEST ALONG THE NORTH LINE OF SAID PARCEL OF LAND, 197.60 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 3.91 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 59 MINUTES 02 SECONDS EAST, 185.76 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, 84.00 FEET;

THENCE NORTH 89 DEGREES 59 MINUTES 02 SECONDS WEST, 185.76 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS EAST, 84.00 FEET TO THE POINT OF BEGINNING.



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Not For Profit Corporation

COURTYARDS OF GAINESVILLE OWNERS ASSN., INC.

### Filing Information

<b>Document Number</b>	N02000000928
<b>FEI/EIN Number</b>	NONE
<b>Date Filed</b>	02/08/2002
<b>State</b>	FL
<b>Status</b>	INACTIVE
<b>Last Event</b>	ADMIN DISSOLUTION FOR ANNUAL REPORT
<b>Event Date Filed</b>	09/19/2003
<b>Event Effective Date</b>	NONE

### Principal Address

4820 NEWBERRY RD.  
GAINESVILLE, FL 32607

### Mailing Address

4820 NEWBERRY RD.  
GAINESVILLE, FL 32607

### Registered Agent Name & Address

NEWMAN, LAWRENCE H  
3705 SW 2ND PL  
GAINESVILLE, FL 32607

### Officer/Director Detail

#### **Name & Address**

Title DP

NEWMAN, LAWRENCE H  
3705 SW 2ND PL  
GAINESVILLE, FL 32607

Title DV

VAN DYKE, WILLIAM K  
4960 NEWBERRY RD., STE. 200  
GAINESVILLE, FL 32606

Title DST

VAN DYKE, LAURA M  
4960 NEWBERRY RD., STE. 200  
GAINESVILLE, FL 32606

**Annual Reports**

**No Annual Reports Filed**

**Document Images**

[02/08/2002 -- Domestic Non-Profit](#)

[View image in PDF format](#)

**Onelia Lazzari**

---

**From:** Onelia Lazzari  
**Sent:** Tuesday, November 13, 2018 11:22 AM  
**To:** Andrew Persons (personsaw@cityofgainesville.org); 'Thomas, Wendy C'  
**Cc:** Stephanie Sutton; Clay Sweger  
**Subject:** Meeting details from November 5 meeting  
**Attachments:** Parking spaces for medical marijuana dispensary.docx  
  
**Importance:** High

Good morning, Andrew & Wendy,

Based on our November 5, 2018 meeting concerning the proposed Special Use Permit for a medical marijuana dispensary in the Corporate Park zoning district, below is a list of the things we agreed upon for the application submittal.

1. The two tax parcels associated with the site (parcel on which the building is located and parcel with parking lot in front of building; 06545-055-000 & 06545-055-001) should be included on the application.
2. We do not need to submit a development plan with the application because the applicant will be occupying an interior space in an existing building. We will provide a copy of the last approved site plan with an indicator of where the interior leased space for this development is located on the site.
3. For the legal description, we should include a legal that covers only the two tax parcels (building and associated parking lot in front).
4. eda provided a parking analysis at the meeting that indicates that the parking spaces are adequate for the proposed new use (see attachment), and it was agreed that this is sufficient for the submittal.

If you have any issues with the above, please let us know before Tuesday, November 20, 2018 because we are preparing the application submittal and will have to interact with our client if there are any problems.

Thank you for meeting with us,  
Onelia

**Onelia Lazzari, AICP** | Senior Planner |  
| [eda engineers-surveyors-planners, inc.](#) |  
2404 NW 43<sup>rd</sup> Street | Gainesville, Florida 32606  
352.373.3541 | [olazzari@edafl.com](mailto:olazzari@edafl.com) | [www.edafl.com](http://www.edafl.com)

## **Parking Analysis for Special Use Permit for Medical Marijuana Dispensing Facility at 4880 Newberry Road**

1. There are 95 parking spaces to be shared by Buildings 1 and 2 available at the site per the approved site plan.
2. The leased space for the marijuana dispensary is 3,833 square feet per their lease.
3. The total square footage for Building 1 on the site plan is shown as 10,766 square feet. So, general office will be 6,933 square feet in the remaining space.
4. The total parking required for Building 1 under the old scenario (with medical and general office) was 40 spaces.
5. The new calculation is as follows: 15 spaces for the dispensary ( $3,833/250$ ) and 23 spaces for the general office ( $6,933/300$ ). That totals to 38 spaces, which is less than the previous 40 required.
6. Since there is no change proposed for Building 2 related to the SUP, we can argue that the parking allocated for Building 2 should just remain as stated on the site plan (that is 54 parking spaces—that building was calculated as being all medical with the  $1/200$  old parking requirement. However, there is now an insurance office in that building that generates the requirement at  $1/300$  square feet). So, again, nothing is changing in that building related to our SUP.
7. With keeping the old required parking at 54 for Building 2 and the required parking being less for Building 1 (38 versus 40 spaces), we are below the existing 95 spaces at the site ( $54 + 38 = 92$ ).

**APPLICATION FOR SPECIAL USE PERMIT**  
**Planning & Development Services**

**OFFICE USE ONLY**

Petition No. \_\_\_\_\_ Fee: \$ \_\_\_\_\_  
1<sup>st</sup> Step Mtg Date: \_\_\_\_\_ EZ Fee: \$ \_\_\_\_\_  
Tax Map No. \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Account No. 001-670-6710-3401 [ ]  
Account No. 001-670-6710-1124 (Enterprise Zone) [ ]  
Account No. 001-670-6710-1125 (Enterprise Zone Credit [ ]

*Application for a special use permit will be accepted for review only after a pre-application conference (First Step Meeting). Application to be completed by applicant. Application must include a preliminary development plan. Incomplete applications will be returned to the applicant.*

Name of Owner(s) (please print)	Applicant(s)/Agent(s), if different
Name: Mildred Jane Whitehill	Name: eda engineers-surveyors-planners, inc.
Address: 3705 SW 2nd Place	Address: 2404 NW 43rd St
Gainesville, FL 32607	Gainesville, FL 32606
Phone: contact agent Fax: contact agent	Phone: 352-373-3541 Fax: 352-373-7249
Owner's Signature: see affidavit	
(If additional owners, please include on back)	

PROPERTY INFORMATION: (Information below applies to property for which a Special Use Permit is being requested.)
Street address: 4880 Newberry Road, Suite 140
Tax parcel no(s): 06545-055-000 & 06545-055-001
Legal description (use separate sheet, if needed): See attached

I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area for which the permit is being requested.

Signature of applicant: CGA Date: 11/30/18

**Certified Cashier's Receipt:**



A Special Use Permit is requested pursuant to Section 30, Subsection 4.19, Paragraph Table V-7, of the Land Development Code, City of Gainesville, to allow the following use:

Medical marijuana dispensing facility

A preliminary site plan is/is not required and is/is not attached.

Existing zoning classification: Corporate Park Existing land use designation: Mixed Use Medium

Existing use of property: Office

<b>SURROUNDING PROPERTY INFORMATION:</b> (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	<b>Zoning</b>	<b>Land Use</b>	<b>Existing Use</b>
North	CP	MUM	Office Building (4881 Building)
South	PD	RL	Mill Pond Multi-family development
East	CP	MUM	Gainesville Health & Fitness
West	CP	MUM	Office Building

**TO THE APPLICANT:** (Please sign the bottom of this application after you have read the following.)

- The City of Gainesville will notify owners of property within 400 feet of the subject property of this application.
- No application for a Special Use Permit shall be entertained within 2 years after the denial or withdrawal of a request for the same use for the same property.
- The City Plan Board's decision concerning a Special Use Permit may be appealed by the applicant to a hearing officer within 15 days of the date notification of the decision is sent by certified mail to the applicant.

Signature:  Date: 11/20/18

Name of Owner (please print)
Name: Mildred Jane Whitehill
Address: 3705 SW 2nd Place
Gainesville, FL 32607
Phone: contact agent Fax: contact agent
Owner's Signature: see affidavit
(If additional owners, please list on separate sheet)

Name of Owner (please print)
Name: Courtyards of Gainesville Owner's Association
Address: 3705 SW 2nd Pl
Gainesville, FL 32607
Phone: contact agent Fax: contact agent
Owner's Signature: see affidavit

Reference: Chapter 30, Land Development Code  
City Code of Ordinances, Article VII, Division 5

# Special Use Permit Application



**Application Request:** A Special Use Permit application to allow a Medical Marijuana Dispensary Facility in the Corporate Park zoning district.

**Application Location:** 4880 Newberry Road, Suite 140  
(Tax parcels 06545-055-000 & 06545-055-001)

**Property Owner:** Mildred Jane Whitehill & Courtyards of Gainesville, Owners Association, Inc.

**Submittal Date:** December 3, 2018

**Prepared By:** eda engineers – surveyors – planners, inc.

## **Table of Contents**

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## **List of Attachments**

Attachment 1	Florida Statutes 381.986
Attachment 2	Approved Development Plan: 181SPA-99CD
Attachment 3	Proposed revised front elevation for new door entry
Attachment 4	Proposed floor plan

## Description of Request and Background

---

McCrory's Sunny Hill Nursery, LLC d/b/a GrowHealthy proposes a medical marijuana dispensing facility in a leased suite located at 4880 West Newberry Road. Suite 140 (approx. 3,833 square feet) is located within the existing 4880 building (10,766 square feet) at the site. This application seeks a Special Use Permit to allow the medical marijuana dispensing facility in Suite 140 under the provisions of the Corporate Park (CP) zoning district in the City's Land Development Code. The City's Code allows medical marijuana dispensing facilities in the CP zoning district using the Special Use Permit process.

A medical marijuana dispensing facility is defined in the City's Land Development Code as follows:

*"Medical marijuana dispensing facility means a facility that dispenses cannabis to qualified patients for a medical use, and not a recreational use, pursuant to all applicable regulations of the State of Florida, as may be amended from time to time."*

Florida Statute 381.986 (see Attachment 1) regulates the medical use of marijuana. Any medical marijuana dispensing facility at this site must meet not only the Special Use Permit requirements in the City's Land Development Code but also any regulations established in Florida Statutes. The Florida Statutes requirements include: dispensing limited to individuals with qualifying medical conditions; licensure; limits on the number of dispensing facilities; security and operational requirements; signage requirements; and separation requirements of 500 feet from public or private schools (elementary, middle, or secondary school).

The existing building at 4880 West Newberry Road is located in the Corporate Park (CP) zoning district. The Development Plan for the building initially was approved by the Development Review Board as Petition 23SPL-97DB on March 13, 1997. That plan received a final development order from Planning staff on November 12, 1999. An amendment to the development plan was approved (Petition 181SPA-00CD) on December 21, 1999. This is the last approved version of the development plan. The building construction was completed in 2000. A copy of the last approved development plan (181SPA-99CD) is included as Attachment 2 (cover sheet and dimension plan).

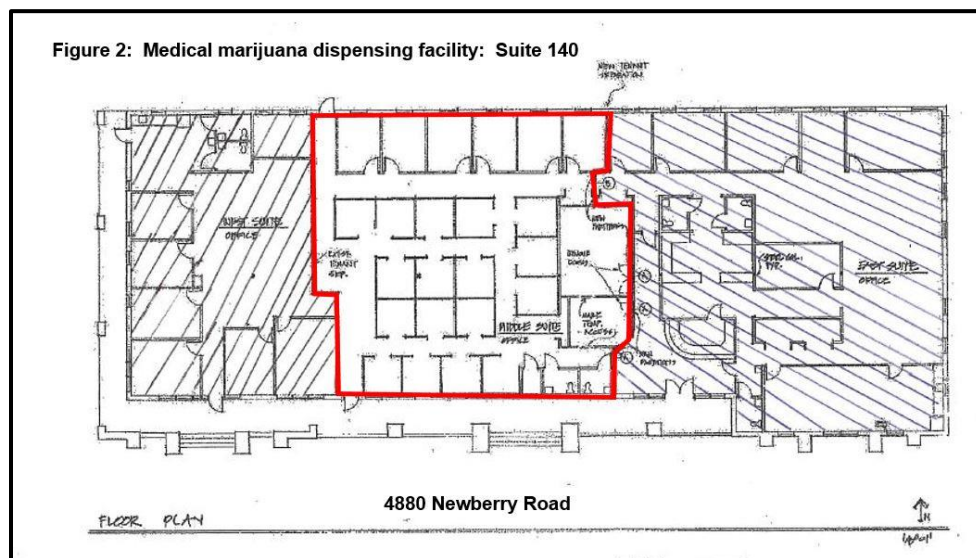
With the exception of moving the front door entry to the center of the suite facade and creating a double door entry for Suite 140, there are no proposed changes to the Development Plan associated with this application. Attachment 3 illustrates the front door entry changes. There is no expansion of the existing building footprint contemplated as part of this request. There are also no changes proposed to site access, landscaping, parking, utilities or overall site layout. An associated Development Plan is not provided because the applicant will occupy interior space in the existing building. Attachment 4 illustrates the floor plan for the interior renovations.



Figure 1 below illustrates the location of the proposed medical marijuana dispensing facility in Suite 140 within Tax Parcel 06545-055-000. Tax parcel 06545-055-001 is the associated parking lot.



Figure 2 below illustrates the approx. 3,833 square feet of leased space that the applicant will occupy in the 4880 Newberry Road building.



The subject property currently has a Mixed Use Medium Future Land Use Map designation and Corporate Park (CP) zoning district designation, as illustrated on Figures 3 and 4 below:

Figure 3: Future Land Use Map

The map displays several land parcels with their future designations:

- 6545-55-1**: Designated as **Mixed Use Medium (MUM)**. This parcel is highlighted with a red outline.
- 6545-53**: Designated as **Mixed Use Medium (MUM)**.
- 6545-53-1**: Designated as **Mixed Use Medium (MUM)**.
- 6544-20-1**: Designated as **Mixed Use Medium (MUM)**.
- 6579-51-1 THRU 10**: Designated as **Residential Low (RL)**.
- 6576-24-2 THRU 58**: Designated as **Residential Low (RL)**.

Other features on the map include:

- Streets**: W Newberry Rd, NW 48th Blvd, NW 50th Blvd.
- Highways**: I-26, I-40.
- Other Labels**: "COMMON ELEMENTS", "MILL POND PHASE 1", "MILL POND PHASE 2", "Block Advisors", "Fish Creek Community Center", "Ga Fit", "MONTICELLO PHASE 1", "MILL POND PHASE 2".
- Parcel Numbers**: 156.31, 200, 203, 158, 217.14, 174.83, 185.76, 84, 80, 442, 430, 422, 418, 441, 437, 433, 447, 442, 439.

Figure 4: Zoning Map

## Surrounding Property Characteristics

---

	Future Land Use	Zoning	Existing Use
North	Mixed Use Medium	CP	Offices
South	Newberry Road & Residential Low Density	PD	Road & Mill Pond Multi-family development
East	Mixed Use Medium	CP	Gainesville Health & Fitness
West	Mixed Use Medium	CP	Offices

## Consistency with the Comprehensive Plan

---

The subject property has a Mixed Use Medium Future Land Use Designation. Policy 4.1.1 of the Future Land Use Element defines the Mixed Use Medium Future Land Use category as follows:

***“This land use category allows a mixture of residential, office, and business uses concentrated in mapped areas. When implemented by the Corporate Park zoning district, this category is appropriate for corporate office facilities and mixed-use office oriented development. Light assembly, fabrication, and processing uses within fully enclosed structures may be allowed as specially regulated uses through a Special Use Permit process established in the Land Development Code. Public and private schools, institutions of higher learning, places of religious assembly and community facilities shall be appropriate in this category. Such development shall function as a neighborhood center serving multiple neighborhoods or a community-serving retail and/or office center. It is not expected that these areas shall be expanded significantly during this planning period. Land development regulations shall ensure a compact, pedestrian environment for these areas, and provide guidelines for the compatibility of permitted uses. Residential development shall be limited to 12 to 30 units per acre. Lots that existed on November 13, 1991 and that are less than or equal to 0.5 acres in size shall be exempt from minimum density requirements. Intensity will be controlled, in part, by adopting land development regulations that establish height limits of 5 stories or less; however, height may be increased to a maximum of 8 stories by Special Use Permit. Land development regulations shall establish the thresholds for the percentage of mixed uses for new development or redevelopment of sites 10 acres or larger. At a minimum, the land development regulations shall encourage that: at least 10 percent of the floor area of new development or redevelopment of such sites be residential; or, that the surrounding area of equal or greater size than the development or redevelopment site, and within ¼ mile of the site, have a residential density of at least 6 units per acre. Residential use shall not be a required development component for public and private schools, institutions of higher learning, places of religious assembly and community facilities. Buildings in this land use category shall face the street and have modest front setbacks.”***

As indicated in the policy above, residential, office, and business uses are allowed in this land use category. Corporate Park zoning is an implementing zoning district for this



future land use category. The policy further indicates that mixed-use office-oriented development is appropriate for this category. The proposed request for a medical marijuana dispensing facility using a Special Use Permit process as specified in the Corporate Park zoning district is consistent with the Mixed Use Medium future land use category.

### Consistency with Land Development Code

As stated previously, the subject property has a Corporate Park (CP) zoning district designation. Sec. 30-4.19 Table V-7 (Permitted Uses in Mixed-Use and Nonresidential Districts) of the LDC indicates that Medical marijuana dispensing facilities are an allowed use in the CP zoning district with a Special Use Permit as indicated in Figure 5 below.

Figure 5: Permitted Uses

	Use Standards	MU-1	MU-2	OR	OF	CP	BUS	BA	BT	BI	W	I-1	I-2
Libraries		-	P	-	-	P	-	-	-	-	P	-	-
Light assembly, fabrication, and processing	<a href="#">30-5.16</a>	P	P	-	S	S	S	P	-	P	P	P	P
Liquor stores		P	P	-	-	-	P	P	P	-	P	-	-
Medical marijuana dispensing facility		P	P	A <sup>1</sup>	A <sup>1</sup>	S	P	P	P	P	P	S	S
Microbrewery Microwinery Microdistillery <sup>3</sup>	<a href="#">30-5.17</a>	S	P	-	-	-	P	-	P	P	P	P	P
Mini-warehouses, self-storage		-	-	-	-	-	-	-	-	P	P	P	P

The applicant's Special Use Permit request for the Medical marijuana dispensing facility fully complies with the stated Land Development Code requirements for a Special Use Permit as discussed below.

## Special Use Permit Criteria

---

The Special Use Permit review criteria are stated in Land Development Code Section 30-3.24. These review criteria are cited below, followed by the applicant's response to each requirement:

### **Sec. 30-3.24 – Review Criteria**

*No special use permit shall be approved by the city plan board unless the following findings are made concerning the proposed special use. The burden of proof on the issue of whether the development, if completed as proposed, will comply with the requirements of this chapter remains at all times on the applicant.*

A. *The proposed use or development is consistent with the Comprehensive Plan and the Land Development Code.*

**Response:** The Corporate Park zoning on this property is consistent with the Mixed Use Medium Density future land use category, which allows business uses and uses consistent with the Corporate Park zoning district. As indicated in this report, the proposed medical marijuana dispensing facility is an allowed use in the CP zoning district with a Special Use Permit (LDC Sec. 30-4.19 Table V-7).

B. *The proposed use or development is compatible with the existing land use pattern and future uses designated by the Comprehensive Plan. Factors by which compatibility of the proposed use or development shall be reviewed include scale, height, mass and bulk, design, intensity, and character of activity.*

**Response:** The dispensing facility will be located in an approx. 3,833 square foot suite within an existing building. The only minor exterior change to the building is creating a double front door entry in the middle of the suite façade (see Attachment 3). The subject property is located within the Corporate Park zoning district and surrounded on the north, east, and west by properties with the Mixed Use Medium future land use category and CP zoning (see Figures 3 & 4). The property is separated from the Mill Pond multi-family development (Residential Low Density) by Newberry Road (a major arterial). The Gainesville Health and Fitness Center parking lot and facility is located immediately to the east of the subject building. That adjacent use operates on a 24-hour basis. The proposed medical marijuana dispensing facility will operate daily from 8:00 a.m. to 9:00 p.m. These operating hours are consistent with Florida Statutes requirements that medical marijuana not be dispensed between the hours of 9 p.m. and 7 a.m. daily.

C. *The proposed use will not adversely affect the health, safety, and welfare of the public.*

**Response:** Within the City of Gainesville (and consistent with Florida Statutes), the City of Gainesville regulates (for zoning purposes) medical marijuana

dispensing facilities the same as pharmacies. Because all activities related to the medical marijuana dispensing facility will be entirely located inside the building, there are no anticipated adverse impacts to the health, safety, and welfare of the public. State statutes specify specific security arrangements for these facilities including: a fully operation security alarm system equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; 24-hour video surveillance systems; and sufficient lighting dusk to dawn (NOTE: there is parking lot lighting at this facility that operates dusk to dawn per the property owner).

*D. Ingress and egress to the property, proposed structures, and parking/loading/service areas is provided and allows for safe and convenient automobile, bicycle, and pedestrian mobility at the site and surrounding properties.*

**Response:** The existing building at 4880 Newberry Road has an approved Development Plan that includes existing ingress and egress routes (including cross-access with the Gainesville Health and Fitness Center) and parking areas. There are no changes proposed to the parking areas. There are existing sidewalks along both sides of Newberry Road. There is an existing sidewalk connection from the Newberry Road sidewalk to the buildings on the site. Painted bike lanes exist on both sides of Newberry Road. A bus shelter is located on Newberry Road immediately to the east of the subject property, and it is connected to the public sidewalk system.

*E. Off-street parking, service, and loading areas, where required, will not adversely impact adjacent properties zoned for single-family residential use.*

**Response:** No new buildings are being constructed at the site. The existing loading and service areas will remain where they are currently located. There are no adjacent properties zoned for single-family residential use.

*F. Noise, glare, exterior lighting, or odor effects will not negatively impact surrounding properties.*

**Response:** The medical marijuana dispensary facility will operate in a fully enclosed suite in the existing 4880 building on the site. No impacts from noise, glare, exterior lighting, or odors are anticipated. No changes to the current exterior lighting are being proposed (the existing parking lot has parking lot lighting that currently operates during the nighttime hours).

*G. There is adequate provision for refuse and service/loading areas, and these areas shall be reviewed for access, screening, location on the site, and pedestrian/bicycle mobility and safety. Outdoor storage or display areas, if included, will not adversely impact surrounding properties and shall be reviewed for screening and location on the site.*

**Response:** There are no proposed changes related to refuse and service/loading areas. There are no proposed outdoor storage or display areas.

*H. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use or development.*

**Response:** Existing utilities serve the site and there are no proposed changes to public utilities at the site.

*I. Screening and buffers are proposed of such type, dimension, and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.*

**Response:** All activity associated with the medical marijuana dispensing facility will occur within Suite 140 of the existing building. There are no proposed changes to the existing landscaping at the site.

*J. The hours of operation will not adversely impact adjacent properties zoned for single-family residential use.*

**Response:** There are no single-family zoned properties adjacent to the proposed medical marijuana dispensing facility. Please see the Surrounding Property Characteristics section of this report and Figure 4 for information about surrounding zoning and uses. The proposed hours of operation are from 8 a.m. to 9 p.m. daily (consistent with Florida Statutes requirements).

*K. Any special requirements set forth in the Land Development Code for the particular use involved are met.*

**Response:** A neighborhood workshop was held on November 27, 2018 at 6:00 p.m. at the Milhopper Library in accordance with the citizen participation provisions of the Land Development Code. The meeting notice was posted in the Gainesville Sun and mailed to property owners within 400 feet. When the Special Use Permit for the Medical marijuana dispensing facility is approved, all Land Development Code requirements will be met.

## **Concurrency and Transportation Mobility**

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This application is exempt from Concurrency and Transportation Mobility review based on Exemption Category # 7 as stated in Section 30-6.4 of the Land Development Code (“7. Changes to a new use allowed under the applicable zoning district that do not involve adding any new square footage or impervious surface.”)

## **Summary**

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As indicated in this justification report, the applicant is requesting a Special Use Permit for a medical marijuana dispensing facility in an existing building located in the Corporate Park (CP) zoning district. The CP zoning district specifically allows these dispensary facilities subject to the approval of a Special Use Permit. The applicant's request is consistent with the Land Development Code, Comprehensive Plan, and as indicated above, meets all the criteria listed for a Special Use Permit.

## 2018 Florida Statutes

### Title XXIX PUBLIC HEALTH

#### Chapter 381 PUBLIC HEALTH: GENERAL PROVISIONS [Entire Chapter](#)

#### SECTION 986

#### Medical use of marijuana.

#### **381.986 Medical use of marijuana.—**

(1) DEFINITIONS.—As used in this section, the term:

(a) “Caregiver” means a resident of this state who has agreed to assist with a qualified patient’s medical use of marijuana, has a caregiver identification card, and meets the requirements of subsection (6).

(b) “Chronic nonmalignant pain” means pain that is caused by a qualifying medical condition or that originates from a qualifying medical condition and persists beyond the usual course of that qualifying medical condition.

(c) “Close relative” means a spouse, parent, sibling, grandparent, child, or grandchild, whether related by whole or half blood, by marriage, or by adoption.

(d) “Edibles” means commercially produced food items made with marijuana oil, but no other form of marijuana, that are produced and dispensed by a medical marijuana treatment center.

(e) “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 from a medical marijuana treatment center.

(f) “Marijuana” means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient.

(g) “Marijuana delivery device” means an object used, intended for use, or designed for use in preparing, storing, ingesting, inhaling, or otherwise introducing marijuana into the human body, and which is dispensed from a medical marijuana treatment center for medical use by a qualified patient.

(h) “Marijuana testing laboratory” means a facility that collects and analyzes marijuana samples from a medical marijuana treatment center and has been certified by the department pursuant to s. [381.988](#).

(i) “Medical director” means a person who holds an active, unrestricted license as an allopathic physician under chapter 458 or osteopathic physician under chapter 459 and is in compliance with the requirements of paragraph (3)(c).

(j) “Medical use” means the acquisition, possession, use, delivery, transfer, or administration of marijuana authorized by a physician certification. The term does not include:

1. Possession, use, or administration of marijuana that was not purchased or acquired from a medical marijuana treatment center.
2. Possession, use, or administration of marijuana in a form for smoking, in the form of commercially produced food items other than edibles, or of marijuana seeds or flower, except for flower in a sealed, tamper-proof receptacle for vaping.
3. Use or administration of any form or amount of marijuana in a manner that is inconsistent with the qualified physician’s directions or physician certification.
4. Transfer of marijuana to a person other than the qualified patient for whom it was authorized or the qualified patient’s caregiver on behalf of the qualified patient.
5. Use or administration of marijuana in the following locations:
  - a. On any form of public transportation, except for low-THC cannabis.
  - b. In any public place, except for low-THC cannabis.
  - c. In a qualified patient’s place of employment, except when permitted by his or her employer.
  - d. In a state correctional institution, as defined in s. 944.02, or a correctional institution, as defined in s. 944.241.
  - e. On the grounds of a preschool, primary school, or secondary school, except as provided in s. 1006.062.
  - f. In a school bus, a vehicle, an aircraft, or a motorboat, except for low-THC cannabis.

(k) “Physician certification” means a qualified physician’s authorization for a qualified patient to receive marijuana and a marijuana delivery device from a medical marijuana treatment center.

(l) “Qualified patient” means a resident of this state who has been added to the medical marijuana use registry by a qualified physician to receive marijuana or a marijuana delivery device for a medical use and who has a qualified patient identification card.

(m) “Qualified physician” means a person who holds an active, unrestricted license as an allopathic physician under chapter 458 or as an osteopathic physician under chapter 459 and is in compliance with the physician education requirements of subsection (3).

(n) “Smoking” means burning or igniting a substance and inhaling the smoke.

(o) “Terminal condition” means a progressive disease or medical or surgical condition that causes significant functional impairment, is not considered by a treating physician to be reversible without the administration of life-sustaining procedures, and will result in death within 1 year after diagnosis if the condition runs its normal course.

(2) QUALIFYING MEDICAL CONDITIONS.—A patient must be diagnosed with at least one of the following conditions to qualify to receive marijuana or a marijuana delivery device:

- (a) Cancer.



- (b) Epilepsy.
- (c) Glaucoma.
- (d) Positive status for human immunodeficiency virus.
- (e) Acquired immune deficiency syndrome.
- (f) Post-traumatic stress disorder.
- (g) Amyotrophic lateral sclerosis.
- (h) Crohn's disease.
- (i) Parkinson's disease.
- (j) Multiple sclerosis.
- (k) Medical conditions of the same kind or class as or comparable to those enumerated in

paragraphs (a)-(j).

(l) A terminal condition diagnosed by a physician other than the qualified physician issuing the physician certification.

- (m) Chronic nonmalignant pain.

(3) QUALIFIED PHYSICIANS AND MEDICAL DIRECTORS.—

(a) Before being approved as a qualified physician, as defined in paragraph (1)(m), and before each license renewal, a physician must successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association which encompass the requirements of this section and any rules adopted hereunder. The course and examination shall be administered at least annually and may be offered in a distance learning format, including an electronic, online format that is available upon request. The price of the course may not exceed \$500. A physician who has met the physician education requirements of former s. 381.986(4), Florida Statutes 2016, before June 23, 2017, shall be deemed to be in compliance with this paragraph from June 23, 2017, until 90 days after the course and examination required by this paragraph become available.

(b) A qualified physician may not be employed by, or have any direct or indirect economic interest in, a medical marijuana treatment center or marijuana testing laboratory.

(c) Before being employed as a medical director, as defined in paragraph (1)(i), and before each license renewal, a medical director must successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association which encompass the requirements of this section and any rules adopted hereunder. The course and examination shall be administered at least annually and may be offered in a distance learning format, including an electronic, online format that is available upon request. The price of the course may not exceed \$500.

(4) PHYSICIAN CERTIFICATION.—

- (a) A qualified physician may issue a physician certification only if the qualified physician:

1. Conducted a physical examination while physically present in the same room as the patient and a full assessment of the medical history of the patient.

2. Diagnosed the patient with at least one qualifying medical condition.

3. Determined that the medical use of marijuana would likely outweigh the potential health risks for the patient, and such determination must be documented in the patient's medical record. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such concurrence must be documented in the patient's medical record.

4. Determined whether the patient is pregnant and documented such determination in the patient's medical record. A physician may not issue a physician certification, except for low-THC cannabis, to a patient who is pregnant.

5. Reviewed the patient's controlled drug prescription history in the prescription drug monitoring program database established pursuant to s. 893.055.

6. Reviews the medical marijuana use registry and confirmed that the patient does not have an active physician certification from another qualified physician.

7. Registers as the issuer of the physician certification for the named qualified patient on the medical marijuana use registry in an electronic manner determined by the department, and:

a. Enters into the registry the contents of the physician certification, including the patient's qualifying condition and the dosage not to exceed the daily dose amount determined by the department, the amount and forms of marijuana authorized for the patient, and any types of marijuana delivery devices needed by the patient for the medical use of marijuana.

b. Updates the registry within 7 days after any change is made to the original physician certification to reflect such change.

c. Deactivates the registration of the qualified patient and the patient's caregiver when the physician no longer recommends the medical use of marijuana for the patient.

8. Obtains the voluntary and informed written consent of the patient for medical use of marijuana each time the qualified physician issues a physician certification for the patient, which shall be maintained in the patient's medical record. The patient, or the patient's parent or legal guardian if the patient is a minor, must sign the informed consent acknowledging that the qualified physician has sufficiently explained its content. The qualified physician must use a standardized informed consent form adopted in rule by the Board of Medicine and the Board of Osteopathic Medicine, which must include, at a minimum, information related to:

- a. The Federal Government's classification of marijuana as a Schedule I controlled substance.
- b. The approval and oversight status of marijuana by the Food and Drug Administration.
- c. The current state of research on the efficacy of marijuana to treat the qualifying conditions set forth in this section.
- d. The potential for addiction.

- e. The potential effect that marijuana may have on a patient's coordination, motor skills, and cognition, including a warning against operating heavy machinery, operating a motor vehicle, or engaging in activities that require a person to be alert or respond quickly.
  - f. The potential side effects of marijuana use.
  - g. The risks, benefits, and drug interactions of marijuana.
  - h. That the patient's de-identified health information contained in the physician certification and medical marijuana use registry may be used for research purposes.
- (b) If a qualified physician issues a physician certification for a qualified patient diagnosed with a qualifying medical condition pursuant to paragraph (2)(k), the physician must submit the following to the applicable board within 14 days after issuing the physician certification:
- 1. Documentation supporting the qualified physician's opinion that the medical condition is of the same kind or class as the conditions in paragraphs (2)(a)-(j).
  - 2. Documentation that establishes the efficacy of marijuana as treatment for the condition.
  - 3. Documentation supporting the qualified physician's opinion that the benefits of medical use of marijuana would likely outweigh the potential health risks for the patient.
  - 4. Any other documentation as required by board rule.

The department must submit such documentation to the Coalition for Medical Marijuana Research and Education established pursuant to s. [1004.4351](#).

(c) A qualified physician may not issue a physician certification for more than three 70-day supply limits of marijuana. The department shall quantify by rule a daily dose amount with equivalent dose amounts for each allowable form of marijuana dispensed by a medical marijuana treatment center. The department shall use the daily dose amount to calculate a 70-day supply.

- 1. A qualified physician may request an exception to the daily dose amount limit. The request shall be made electronically on a form adopted by the department in rule and must include, at a minimum:
  - a. The qualified patient's qualifying medical condition.
  - b. The dosage and route of administration that was insufficient to provide relief to the qualified patient.
  - c. A description of how the patient will benefit from an increased amount.
  - d. The minimum daily dose amount of marijuana that would be sufficient for the treatment of the qualified patient's qualifying medical condition.
- 2. A qualified physician must provide the qualified patient's records upon the request of the department.
- 3. The department shall approve or disapprove the request within 14 days after receipt of the complete documentation required by this paragraph. The request shall be deemed approved if the department fails to act within this time period.

(d) A qualified physician must evaluate an existing qualified patient at least once every 30 weeks before issuing a new physician certification. A physician must:

1. Determine if the patient still meets the requirements to be issued a physician certification under paragraph (a).
2. Identify and document in the qualified patient's medical records whether the qualified patient experienced either of the following related to the medical use of marijuana:
  - a. An adverse drug interaction with any prescription or nonprescription medication; or
  - b. A reduction in the use of, or dependence on, other types of controlled substances as defined in s. 893.02.
3. Submit a report with the findings required pursuant to subparagraph 2. to the department. The department shall submit such reports to the Coalition for Medical Marijuana Research and Education established pursuant to s. 1004.4351.

(e) An active order for low-THC cannabis or medical cannabis issued pursuant to former s. 381.986, Florida Statutes 2016, and registered with the compassionate use registry before June 23, 2017, is deemed a physician certification, and all patients possessing such orders are deemed qualified patients until the department begins issuing medical marijuana use registry identification cards.

(f) The department shall monitor physician registration in the medical marijuana use registry and the issuance of physician certifications for practices that could facilitate unlawful diversion or misuse of marijuana or a marijuana delivery device and shall take disciplinary action as appropriate.

(g) The Board of Medicine and the Board of Osteopathic Medicine shall jointly create a physician certification pattern review panel that shall review all physician certifications submitted to the medical marijuana use registry. The panel shall track and report the number of physician certifications and the qualifying medical conditions, dosage, supply amount, and form of marijuana certified. The panel shall report the data both by individual qualified physician and in the aggregate, by county, and statewide. The physician certification pattern review panel shall, beginning January 1, 2018, submit an annual report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(h) The department, the Board of Medicine, and the Board of Osteopathic Medicine may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(5) MEDICAL MARIJUANA USE REGISTRY.—

(a) The department shall create and maintain a secure, electronic, and online medical marijuana use registry for physicians, patients, and caregivers as provided under this section. The medical marijuana use registry must be accessible to law enforcement agencies, qualified physicians, and medical marijuana treatment centers to verify the authorization of a qualified patient or a caregiver to possess marijuana or a marijuana delivery device and record the marijuana or marijuana delivery device dispensed. The medical marijuana use registry must also be accessible to practitioners licensed

to prescribe prescription drugs to ensure proper care for patients before medications that may interact with the medical use of marijuana are prescribed. The medical marijuana use registry must prevent an active registration of a qualified patient by multiple physicians.

(b) The department shall determine whether an individual is a resident of this state for the purpose of registration of qualified patients and caregivers in the medical marijuana use registry. To prove residency:

1. An adult resident must provide the department with a copy of his or her valid Florida driver license issued under s. 322.18 or a copy of a valid Florida identification card issued under s. 322.051.

2. An adult seasonal resident who cannot meet the requirements of subparagraph 1. may provide the department with a copy of two of the following that show proof of residential address:

a. A deed, mortgage, monthly mortgage statement, mortgage payment booklet or residential rental or lease agreement.

b. One proof of residential address from the seasonal resident's parent, step-parent, legal guardian or other person with whom the seasonal resident resides and a statement from the person with whom the seasonal resident resides stating that the seasonal resident does reside with him or her.

c. A utility hookup or work order dated within 60 days before registration in the medical use registry.

d. A utility bill, not more than 2 months old.

e. Mail from a financial institution, including checking, savings, or investment account statements, not more than 2 months old.

f. Mail from a federal, state, county, or municipal government agency, not more than 2 months old.

g. Any other documentation that provides proof of residential address as determined by department rule.

3. A minor must provide the department with a certified copy of a birth certificate or a current record of registration from a Florida K-12 school and must have a parent or legal guardian who meets the requirements of subparagraph 1.

For the purposes of this paragraph, the term "seasonal resident" means any person who temporarily resides in this state for a period of at least 31 consecutive days in each calendar year, maintains a temporary residence in this state, returns to the state or jurisdiction of his or her residence at least one time during each calendar year, and is registered to vote or pays income tax in another state or jurisdiction.

(c) The department may suspend or revoke the registration of a qualified patient or caregiver if the qualified patient or caregiver:

1. Provides misleading, incorrect, false, or fraudulent information to the department;

2. Obtains a supply of marijuana in an amount greater than the amount authorized by the physician certification;

3. Falsifies, alters, or otherwise modifies an identification card;

4. Fails to timely notify the department of any changes to his or her qualified patient status; or

5. Violates the requirements of this section or any rule adopted under this section.

(d) The department shall immediately suspend the registration of a qualified patient charged with a violation of chapter 893 until final disposition of any alleged offense. Thereafter, the department may extend the suspension, revoke the registration, or reinstate the registration.

(e) The department shall immediately suspend the registration of any caregiver charged with a violation of chapter 893 until final disposition of any alleged offense. The department shall revoke a caregiver registration if the caregiver does not meet the requirements of subparagraph (6)(b)6.

(f) The department may revoke the registration of a qualified patient or caregiver who cultivates marijuana or who acquires, possesses, or delivers marijuana from any person or entity other than a medical marijuana treatment center.

(g) The department shall revoke the registration of a qualified patient, and the patient's associated caregiver, upon notification that the patient no longer meets the criteria of a qualified patient.

(h) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(6) CAREGIVERS.—

(a) The department must register an individual as a caregiver on the medical marijuana use registry and issue a caregiver identification card if an individual designated by a qualified patient meets all of the requirements of this subsection and department rule.

(b) A caregiver must:

1. Not be a qualified physician and not be employed by or have an economic interest in a medical marijuana treatment center or a marijuana testing laboratory.

2. Be 21 years of age or older and a resident of this state.

3. Agree in writing to assist with the qualified patient's medical use of marijuana.

4. Be registered in the medical marijuana use registry as a caregiver for no more than one qualified patient, except as provided in this paragraph.

5. Successfully complete a caregiver certification course developed and administered by the department or its designee, which must be renewed biennially. The price of the course may not exceed \$100.

6. Pass a background screening pursuant to subsection (9), unless the patient is a close relative of the caregiver.

(c) A qualified patient may designate no more than one caregiver to assist with the qualified patient's medical use of marijuana, unless:

1. The qualified patient is a minor and the designated caregivers are parents or legal guardians of the qualified patient;
2. The qualified patient is an adult who has an intellectual or developmental disability that prevents the patient from being able to protect or care for himself or herself without assistance or supervision and the designated caregivers are the parents or legal guardians of the qualified patient; or
3. The qualified patient is admitted to a hospice program.

(d) A caregiver may be registered in the medical marijuana use registry as a designated caregiver for no more than one qualified patient, unless:

1. The caregiver is a parent or legal guardian of more than one minor who is a qualified patient;
2. The caregiver is a parent or legal guardian of more than one adult who is a qualified patient and who has an intellectual or developmental disability that prevents the patient from being able to protect or care for himself or herself without assistance or supervision; or
3. All qualified patients the caregiver has agreed to assist are admitted to a hospice program and have requested the assistance of that caregiver with the medical use of marijuana; the caregiver is an employee of the hospice; and the caregiver provides personal care or other services directly to clients of the hospice in the scope of that employment.

(e) A caregiver may not receive compensation, other than actual expenses incurred, for any services provided to the qualified patient.

(f) If a qualified patient is younger than 18 years of age, only a caregiver may purchase or administer marijuana for medical use by the qualified patient. The qualified patient may not purchase marijuana.

(g) A caregiver must be in immediate possession of his or her medical marijuana use registry identification card at all times when in possession of marijuana or a marijuana delivery device and must present his or her medical marijuana use registry identification card upon the request of a law enforcement officer.

(h) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(7) IDENTIFICATION CARDS.—

(a) The department shall issue medical marijuana use registry identification cards for qualified patients and caregivers who are residents of this state, which must be renewed annually. The identification cards must be resistant to counterfeiting and tampering and must include, at a minimum, the following:

1. The name, address, and date of birth of the qualified patient or caregiver.



2. A full-face, passport-type, color photograph of the qualified patient or caregiver taken within the 90 days immediately preceding registration or the Florida driver license or Florida identification card photograph of the qualified patient or caregiver obtained directly from the Department of Highway Safety and Motor Vehicles.

3. Identification as a qualified patient or a caregiver.

4. The unique numeric identifier used for the qualified patient in the medical marijuana use registry.

5. For a caregiver, the name and unique numeric identifier of the caregiver and the qualified patient or patients that the caregiver is assisting.

6. The expiration date of the identification card.

(b) The department must receive written consent from a qualified patient's parent or legal guardian before it may issue an identification card to a qualified patient who is a minor.

<sup>2</sup>(c) The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing procedures for the issuance, renewal, suspension, replacement, surrender, and revocation of medical marijuana use registry identification cards pursuant to this section and shall begin issuing qualified patient identification cards by October 3, 2017.

(d) Applications for identification cards must be submitted on a form prescribed by the department. The department may charge a reasonable fee associated with the issuance, replacement, and renewal of identification cards. The department shall allocate \$10 of the identification card fee to the Division of Research at Florida Agricultural and Mechanical University for the purpose of educating minorities about marijuana for medical use and the impact of the unlawful use of marijuana on minority communities. The department shall contract with a third-party vendor to issue identification cards. The vendor selected by the department must have experience performing similar functions for other state agencies.

(e) A qualified patient or caregiver shall return his or her identification card to the department within 5 business days after revocation.

<sup>2</sup>(8) MEDICAL MARIJUANA TREATMENT CENTERS.—

(a) The department shall license medical marijuana treatment centers to ensure reasonable statewide accessibility and availability as necessary for qualified patients registered in the medical marijuana use registry and who are issued a physician certification under this section.

1. As soon as practicable, but no later than July 3, 2017, the department shall license as a medical marijuana treatment center any entity that holds an active, unrestricted license to cultivate, process, transport, and dispense low-THC cannabis, medical cannabis, and cannabis delivery devices, under former s. 381.986, Florida Statutes 2016, before July 1, 2017, and which meets the requirements of this section. In addition to the authority granted under this section, these entities are authorized to dispense low-THC cannabis, medical cannabis, and cannabis delivery devices ordered pursuant to

former s. 381.986, Florida Statutes 2016, which were entered into the compassionate use registry before July 1, 2017, and are authorized to begin dispensing marijuana under this section on July 3, 2017. The department may grant variances from the representations made in such an entity's original application for approval under former s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

2. The department shall license as medical marijuana treatment centers 10 applicants that meet the requirements of this section, under the following parameters:

a. As soon as practicable, but no later than August 1, 2017, the department shall license any applicant whose application was reviewed, evaluated, and scored by the department and which was denied a dispensing organization license by the department under former s. 381.986, Florida Statutes 2014; which had one or more administrative or judicial challenges pending as of January 1, 2017, or had a final ranking within one point of the highest final ranking in its region under former s. 381.986, Florida Statutes 2014; which meets the requirements of this section; and which provides documentation to the department that it has the existing infrastructure and technical and technological ability to begin cultivating marijuana within 30 days after registration as a medical marijuana treatment center.

b. As soon as practicable, the department shall license one applicant that is a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed under this sub-subparagraph is exempt from the requirement of subparagraph (b)2.

c. As soon as practicable, but no later than October 3, 2017, the department shall license applicants that meet the requirements of this section in sufficient numbers to result in 10 total licenses issued under this subparagraph, while accounting for the number of licenses issued under sub-subparagraphs a. and b.

3. For up to two of the licenses issued under subparagraph 2., the department shall give preference to applicants that demonstrate in their applications that they own one or more facilities that are, or were, used for the canning, concentrating, or otherwise processing of citrus fruit or citrus molasses and will use or convert the facility or facilities for the processing of marijuana.

4. Within 6 months after the registration of 100,000 active qualified patients in the medical marijuana use registry, the department shall license four additional medical marijuana treatment centers that meet the requirements of this section. Thereafter, the department shall license four medical marijuana treatment centers within 6 months after the registration of each additional 100,000 active qualified patients in the medical marijuana use registry that meet the requirements of this section.

5. Dispensing facilities are subject to the following requirements:

a. A medical marijuana treatment center may not establish or operate more than a statewide maximum of 25 dispensing facilities, unless the medical marijuana use registry reaches a total of

100,000 active registered qualified patients. When the medical marijuana use registry reaches 100,000 active registered qualified patients, and then upon each further instance of the total active registered qualified patients increasing by 100,000, the statewide maximum number of dispensing facilities that each licensed medical marijuana treatment center may establish and operate increases by five.

b. A medical marijuana treatment center may not establish more than the maximum number of dispensing facilities allowed in each of the Northwest, Northeast, Central, Southwest, and Southeast Regions. The department shall determine a medical marijuana treatment center's maximum number of dispensing facilities allowed in each region by calculating the percentage of the total statewide population contained within that region and multiplying that percentage by the medical marijuana treatment center's statewide maximum number of dispensing facilities established under sub-subparagraph a., rounded to the nearest whole number. The department shall ensure that such rounding does not cause a medical marijuana treatment center's total number of statewide dispensing facilities to exceed its statewide maximum. The department shall initially calculate the maximum number of dispensing facilities allowed in each region for each medical marijuana treatment center using county population estimates from the Florida Estimates of Population 2016, as published by the Office of Economic and Demographic Research, and shall perform recalculations following the official release of county population data resulting from each United States Decennial Census. For the purposes of this subparagraph:

(I) The Northwest Region consists of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington Counties.

(II) The Northeast Region consists of Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns, Suwannee, and Union Counties.

(III) The Central Region consists of Brevard, Citrus, Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia Counties.

(IV) The Southwest Region consists of Charlotte, Collier, DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee, Okeechobee, and Sarasota Counties.

(V) The Southeast Region consists of Broward, Miami-Dade, Martin, Monroe, and Palm Beach Counties.

c. If a medical marijuana treatment center establishes a number of dispensing facilities within a region that is less than the number allowed for that region under sub-subparagraph b., the medical marijuana treatment center may sell one or more of its unused dispensing facility slots to other licensed medical marijuana treatment centers. For each dispensing facility slot that a medical marijuana treatment center sells, that medical marijuana treatment center's statewide maximum number of dispensing facilities, as determined under sub-subparagraph a., is reduced by one. The

statewide maximum number of dispensing facilities for a medical marijuana treatment center that purchases an unused dispensing facility slot is increased by one per slot purchased. Additionally, the sale of a dispensing facility slot shall reduce the seller's regional maximum and increase the purchaser's regional maximum number of dispensing facilities, as determined in sub-subparagraph b., by one for that region. For any slot purchased under this sub-subparagraph, the regional restriction applied to that slot's location under sub-subparagraph b. before the purchase shall remain in effect following the purchase. A medical marijuana treatment center that sells or purchases a dispensing facility slot must notify the department within 3 days of sale.

d. This subparagraph shall expire on April 1, 2020.

If this subparagraph or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end, the provisions of this subparagraph are severable.

(b) An applicant for licensure as a medical marijuana treatment center shall apply to the department on a form prescribed by the department and adopted in rule. The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing a procedure for the issuance and biennial renewal of licenses, including initial application and biennial renewal fees sufficient to cover the costs of implementing and administering this section, and establishing supplemental licensure fees for payment beginning May 1, 2018, sufficient to cover the costs of administering ss. 381.989 and 1004.4351. The department shall identify applicants with strong diversity plans reflecting this state's commitment to diversity and implement training programs and other educational programs to enable minority persons and minority business enterprises, as defined in s. 288.703, and veteran business enterprises, as defined in s. 295.187, to compete for medical marijuana treatment center licensure and contracts. Subject to the requirements in subparagraphs (a)2.-4., the department shall issue a license to an applicant if the applicant meets the requirements of this section and pays the initial application fee. The department shall renew the licensure of a medical marijuana treatment center biennially if the licensee meets the requirements of this section and pays the biennial renewal fee. An individual may not be an applicant, owner, officer, board member, or manager on more than one application for licensure as a medical marijuana treatment center. An individual or entity may not be awarded more than one license as a medical marijuana treatment center. An applicant for licensure as a medical marijuana treatment center must demonstrate:

1. That, for the 5 consecutive years before submitting the application, the applicant has been registered to do business in the state.

2. Possession of a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131.

3. The technical and technological ability to cultivate and produce marijuana, including, but not limited to, low-THC cannabis.

4. The ability to secure the premises, resources, and personnel necessary to operate as a medical marijuana treatment center.

5. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

6. An infrastructure reasonably located to dispense marijuana to registered qualified patients statewide or regionally as determined by the department.

7. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financial statements to the department.

a. Upon approval, the applicant must post a \$5 million performance bond issued by an authorized surety insurance company rated in one of the three highest rating categories by a nationally recognized rating service. However, a medical marijuana treatment center serving at least 1,000 qualified patients is only required to maintain a \$2 million performance bond.

b. In lieu of the performance bond required under sub-subparagraph a., the applicant may provide an irrevocable letter of credit payable to the department or provide cash to the department. If provided with cash under this sub-subparagraph, the department shall deposit the cash in the Grants and Donations Trust Fund within the Department of Health, subject to the same conditions as the bond regarding requirements for the applicant to forfeit ownership of the funds. If the funds deposited under this sub-subparagraph generate interest, the amount of that interest shall be used by the department for the administration of this section.

8. That all owners, officers, board members, and managers have passed a background screening pursuant to subsection (9).

9. The employment of a medical director to supervise the activities of the medical marijuana treatment center.

10. A diversity plan that promotes and ensures the involvement of minority persons and minority business enterprises, as defined in s. 288.703, or veteran business enterprises, as defined in s. 295.187, in ownership, management, and employment. An applicant for licensure renewal must show the effectiveness of the diversity plan by including the following with his or her application for renewal:

a. Representation of minority persons and veterans in the medical marijuana treatment center's workforce;

b. Efforts to recruit minority persons and veterans for employment; and

c. A record of contracts for services with minority business enterprises and veteran business enterprises.

(c) A medical marijuana treatment center may not make a wholesale purchase of marijuana from, or a distribution of marijuana to, another medical marijuana treatment center, unless the medical

marijuana treatment center seeking to make a wholesale purchase of marijuana submits proof of harvest failure to the department.

(d) The department shall establish, maintain, and control a computer software tracking system that traces marijuana from seed to sale and allows real-time, 24-hour access by the department to data from all medical marijuana treatment centers and marijuana testing laboratories. The tracking system must allow for integration of other seed-to-sale systems and, at a minimum, include notification of when marijuana seeds are planted, when marijuana plants are harvested and destroyed, and when marijuana is transported, sold, stolen, diverted, or lost. Each medical marijuana treatment center shall use the seed-to-sale tracking system established by the department or integrate its own seed-to-sale tracking system with the seed-to-sale tracking system established by the department. Each medical marijuana treatment center may use its own seed-to-sale system until the department establishes a seed-to-sale tracking system. The department may contract with a vendor to establish the seed-to-sale tracking system. The vendor selected by the department may not have a contractual relationship with the department to perform any services pursuant to this section other than the seed-to-sale tracking system. The vendor may not have a direct or indirect financial interest in a medical marijuana treatment center or a marijuana testing laboratory.

(e) A licensed medical marijuana treatment center shall cultivate, process, transport, and dispense marijuana for medical use. A licensed medical marijuana treatment center may not contract for services directly related to the cultivation, processing, and dispensing of marijuana or marijuana delivery devices, except that a medical marijuana treatment center licensed pursuant to subparagraph (a)1. may contract with a single entity for the cultivation, processing, transporting, and dispensing of marijuana and marijuana delivery devices. A licensed medical marijuana treatment center must, at all times, maintain compliance with the criteria demonstrated and representations made in the initial application and the criteria established in this subsection. Upon request, the department may grant a medical marijuana treatment center a variance from the representations made in the initial application. Consideration of such a request shall be based upon the individual facts and circumstances surrounding the request. A variance may not be granted unless the requesting medical marijuana treatment center can demonstrate to the department that it has a proposed alternative to the specific representation made in its application which fulfills the same or a similar purpose as the specific representation in a way that the department can reasonably determine will not be a lower standard than the specific representation in the application. A variance may not be granted from the requirements in subparagraph 2. and subparagraphs (b)1. and 2.

1. A licensed medical marijuana treatment center may transfer ownership to an individual or entity who meets the requirements of this section. A publicly traded corporation or publicly traded company that meets the requirements of this section is not precluded from ownership of a medical marijuana treatment center. To accommodate a change in ownership:

a. The licensed medical marijuana treatment center shall notify the department in writing at least 60 days before the anticipated date of the change of ownership.

b. The individual or entity applying for initial licensure due to a change of ownership must submit an application that must be received by the department at least 60 days before the date of change of ownership.

c. Upon receipt of an application for a license, the department shall examine the application and, within 30 days after receipt, notify the applicant in writing of any apparent errors or omissions and request any additional information required.

d. Requested information omitted from an application for licensure must be filed with the department within 21 days after the department's request for omitted information or the application shall be deemed incomplete and shall be withdrawn from further consideration and the fees shall be forfeited.

Within 30 days after the receipt of a complete application, the department shall approve or deny the application.

2. A medical marijuana treatment center, and any individual or entity who directly or indirectly owns, controls, or holds with power to vote 5 percent or more of the voting shares of a medical marijuana treatment center, may not acquire direct or indirect ownership or control of any voting shares or other form of ownership of any other medical marijuana treatment center.

3. A medical marijuana treatment center may not enter into any form of profit-sharing arrangement with the property owner or lessor of any of its facilities where cultivation, processing, storing, or dispensing of marijuana and marijuana delivery devices occurs.

4. All employees of a medical marijuana treatment center must be 21 years of age or older and have passed a background screening pursuant to subsection (9).

5. Each medical marijuana treatment center must adopt and enforce policies and procedures to ensure employees and volunteers receive training on the legal requirements to dispense marijuana to qualified patients.

6. When growing marijuana, a medical marijuana treatment center:

a. May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.

b. Must grow marijuana within an enclosed structure and in a room separate from any other plant.

c. Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state in accordance with chapter 581 and any rules adopted thereunder.

d. Must perform fumigation or treatment of plants, or remove and destroy infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.

7. Each medical marijuana treatment center must produce and make available for purchase at least one low-THC cannabis product.

8. A medical marijuana treatment center that produces edibles must hold a permit to operate as a food establishment pursuant to chapter 500, the Florida Food Safety Act, and must comply with all the requirements for food establishments pursuant to chapter 500 and any rules adopted thereunder. Edibles may not contain more than 200 milligrams of tetrahydrocannabinol, and a single serving portion of an edible may not exceed 10 milligrams of tetrahydrocannabinol. Edibles may have a potency variance of no greater than 15 percent. Edibles may not be attractive to children; be manufactured in the shape of humans, cartoons, or animals; be manufactured in a form that bears any reasonable resemblance to products available for consumption as commercially available candy; or contain any color additives. To discourage consumption of edibles by children, the department shall determine by rule any shapes, forms, and ingredients allowed and prohibited for edibles. Medical marijuana treatment centers may not begin processing or dispensing edibles until after the effective date of the rule. The department shall also adopt sanitation rules providing the standards and requirements for the storage, display, or dispensing of edibles.

9. Within 12 months after licensure, a medical marijuana treatment center must demonstrate to the department that all of its processing facilities have passed a Food Safety Good Manufacturing Practices, such as Global Food Safety Initiative or equivalent, inspection by a nationally accredited certifying body. A medical marijuana treatment center must immediately stop processing at any facility which fails to pass this inspection until it demonstrates to the department that such facility has met this requirement.

10. When processing marijuana, a medical marijuana treatment center must:

a. Process the marijuana within an enclosed structure and in a room separate from other plants or products.

b. Comply with department rules when processing marijuana with hydrocarbon solvents or other solvents or gases exhibiting potential toxicity to humans. The department shall determine by rule the requirements for medical marijuana treatment centers to use such solvents or gases exhibiting potential toxicity to humans.

c. Comply with federal and state laws and regulations and department rules for solid and liquid wastes. The department shall determine by rule procedures for the storage, handling, transportation, management, and disposal of solid and liquid waste generated during marijuana production and processing. The Department of Environmental Protection shall assist the department in developing such rules.



d. Test the processed marijuana using a medical marijuana testing laboratory before it is dispensed. Results must be verified and signed by two medical marijuana treatment center employees. Before dispensing, the medical marijuana treatment center must determine that the test results indicate that low-THC cannabis meets the definition of low-THC cannabis, the concentration of tetrahydrocannabinol meets the potency requirements of this section, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and all marijuana is safe for human consumption and free from contaminants that are unsafe for human consumption. The department shall determine by rule which contaminants must be tested for and the maximum levels of each contaminant which are safe for human consumption. The Department of Agriculture and Consumer Services shall assist the department in developing the testing requirements for contaminants that are unsafe for human consumption in edibles. The department shall also determine by rule the procedures for the treatment of marijuana that fails to meet the testing requirements of this section, s. 381.988, or department rule. The department may select a random sample from edibles available for purchase in a dispensing facility which shall be tested by the department to determine that the edible meets the potency requirements of this section, is safe for human consumption, and the labeling of the tetrahydrocannabinol and cannabidiol concentration is accurate. A medical marijuana treatment center may not require payment from the department for the sample. A medical marijuana treatment center must recall edibles, including all edibles made from the same batch of marijuana, which fail to meet the potency requirements of this section, which are unsafe for human consumption, or for which the labeling of the tetrahydrocannabinol and cannabidiol concentration is inaccurate. The medical marijuana treatment center must retain records of all testing and samples of each homogenous batch of marijuana for at least 9 months. The medical marijuana treatment center must contract with a marijuana testing laboratory to perform audits on the medical marijuana treatment center's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the marijuana or low-THC cannabis meets the requirements of this section and that the marijuana or low-THC cannabis is safe for human consumption. A medical marijuana treatment center shall reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of such audits. A medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification, but in no event later than July 1, 2018.

e. Package the marijuana in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

f. Package the marijuana in a receptacle that has a firmly affixed and legible label stating the following information:

- (I) The marijuana or low-THC cannabis meets the requirements of sub-subparagraph d.
- (II) The name of the medical marijuana treatment center from which the marijuana originates.

(III) The batch number and harvest number from which the marijuana originates and the date dispensed.

(IV) The name of the physician who issued the physician certification.

(V) The name of the patient.

(VI) The product name, if applicable, and dosage form, including concentration of tetrahydrocannabinol and cannabidiol. The product name may not contain wording commonly associated with products marketed by or to children.

(VII) The recommended dose.

(VIII) A warning that it is illegal to transfer medical marijuana to another person.

(IX) A marijuana universal symbol developed by the department.

11. The medical marijuana treatment center shall include in each package a patient package insert with information on the specific product dispensed related to:

- a. Clinical pharmacology.
- b. Indications and use.
- c. Dosage and administration.
- d. Dosage forms and strengths.
- e. Contraindications.
- f. Warnings and precautions.
- g. Adverse reactions.

12. Each edible shall be individually sealed in plain, opaque wrapping marked only with the marijuana universal symbol. Where practical, each edible shall be marked with the marijuana universal symbol. In addition to the packaging and labeling requirements in subparagraphs 10. and 11., edible receptacles must be plain, opaque, and white without depictions of the product or images other than the medical marijuana treatment center's department-approved logo and the marijuana universal symbol. The receptacle must also include a list all of the edible's ingredients, storage instructions, an expiration date, a legible and prominent warning to keep away from children and pets, and a warning that the edible has not been produced or inspected pursuant to federal food safety laws.

13. When dispensing marijuana or a marijuana delivery device, a medical marijuana treatment center:

- a. May dispense any active, valid order for low-THC cannabis, medical cannabis and cannabis delivery devices issued pursuant to former s. 381.986, Florida Statutes 2016, which was entered into the medical marijuana use registry before July 1, 2017.
- b. May not dispense more than a 70-day supply of marijuana to a qualified patient or caregiver.
- c. Must have the medical marijuana treatment center's employee who dispenses the marijuana or a marijuana delivery device enter into the medical marijuana use registry his or her name or unique employee identifier.

d. Must verify that the qualified patient and the caregiver, if applicable, each have an active registration in the medical marijuana use registry and an active and valid medical marijuana use registry identification card, the amount and type of marijuana dispensed matches the physician certification in the medical marijuana use registry for that qualified patient, and the physician certification has not already been filled.

e. May not dispense marijuana to a qualified patient who is younger than 18 years of age. If the qualified patient is younger than 18 years of age, marijuana may only be dispensed to the qualified patient's caregiver.

f. May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes, bongs, or wrapping papers, other than a marijuana delivery device required for the medical use of marijuana and which is specified in a physician certification.

g. Must, upon dispensing the marijuana or marijuana delivery device, record in the registry the date, time, quantity, and form of marijuana dispensed; the type of marijuana delivery device dispensed; and the name and medical marijuana use registry identification number of the qualified patient or caregiver to whom the marijuana delivery device was dispensed.

h. Must ensure that patient records are not visible to anyone other than the qualified patient, his or her caregiver, and authorized medical marijuana treatment center employees.

(f) To ensure the safety and security of premises where the cultivation, processing, storing, or dispensing of marijuana occurs, and to maintain adequate controls against the diversion, theft, and loss of marijuana or marijuana delivery devices, a medical marijuana treatment center shall:

1.a. Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; and

b. Maintain a video surveillance system that records continuously 24 hours a day and meets the following criteria:

(I) Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms.

(II) Cameras are fixed in entrances and exits to the premises, which shall record from both indoor and outdoor, or ingress and egress, vantage points.

(III) Recorded images must clearly and accurately display the time and date.

(IV) Retain video surveillance recordings for at least 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the medical marijuana treatment center's outdoor premises have sufficient lighting from dusk until dawn.

3. Ensure that the indoor premises where dispensing occurs includes a waiting area with sufficient space and seating to accommodate qualified patients and caregivers and at least one private consultation area that is isolated from the waiting area and area where dispensing occurs. A medical marijuana treatment center may not display products or dispense marijuana or marijuana delivery devices in the waiting area.

4. Not dispense from its premises marijuana or a marijuana delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver marijuana to qualified patients 24 hours a day.

5. Store marijuana in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times where cultivation, processing, or storing of marijuana occurs.

7. Require each employee or contractor to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement within 24 hours after the medical marijuana treatment center is notified or becomes aware of the theft, diversion, or loss of marijuana.

(g) To ensure the safe transport of marijuana and marijuana delivery devices to medical marijuana treatment centers, marijuana testing laboratories, or qualified patients, a medical marijuana treatment center must:

1. Maintain a marijuana transportation manifest in any vehicle transporting marijuana. The marijuana transportation manifest must be generated from a medical marijuana treatment center's seed-to-sale tracking system and include the:

- a. Departure date and approximate time of departure.
- b. Name, location address, and license number of the originating medical marijuana treatment center.
- c. Name and address of the recipient of the delivery.
- d. Quantity and form of any marijuana or marijuana delivery device being transported.
- e. Arrival date and estimated time of arrival.
- f. Delivery vehicle make and model and license plate number.
- g. Name and signature of the medical marijuana treatment center employees delivering the product.

(l) A copy of the marijuana transportation manifest must be provided to each individual, medical marijuana treatment center, or marijuana testing laboratory that receives a delivery. The individual,

or a representative of the center or laboratory, must sign a copy of the marijuana transportation manifest acknowledging receipt.

(II) An individual transporting marijuana or a marijuana delivery device must present a copy of the relevant marijuana transportation manifest and his or her employee identification card to a law enforcement officer upon request.

(III) Medical marijuana treatment centers and marijuana testing laboratories must retain copies of all marijuana transportation manifests for at least 3 years.

2. Ensure only vehicles in good working order are used to transport marijuana.
3. Lock marijuana and marijuana delivery devices in a separate compartment or container within the vehicle.
4. Require employees to have possession of their employee identification card at all times when transporting marijuana or marijuana delivery devices.
5. Require at least two persons to be in a vehicle transporting marijuana or marijuana delivery devices, and require at least one person to remain in the vehicle while the marijuana or marijuana delivery device is being delivered.
6. Provide specific safety and security training to employees transporting or delivering marijuana and marijuana delivery devices.

(h) A medical marijuana treatment center may not engage in advertising that is visible to members of the public from any street, sidewalk, park, or other public place, except:

1. The dispensing location of a medical marijuana treatment center may have a sign that is affixed to the outside or hanging in the window of the premises which identifies the dispensary by the licensee's business name, a department-approved trade name, or a department-approved logo. A medical marijuana treatment center's trade name and logo may not contain wording or images commonly associated with marketing targeted toward children or which promote recreational use of marijuana.

2. A medical marijuana treatment center may engage in Internet advertising and marketing under the following conditions:

- a. All advertisements must be approved by the department.
  - b. An advertisement may not have any content that specifically targets individuals under the age of 18, including cartoon characters or similar images.
  - c. An advertisement may not be an unsolicited pop-up advertisement.
  - d. Opt-in marketing must include an easy and permanent opt-out feature.
- (i) Each medical marijuana treatment center that dispenses marijuana and marijuana delivery devices shall make available to the public on its website:

1. Each marijuana and low-THC product available for purchase, including the form, strain of marijuana from which it was extracted, cannabidiol content, tetrahydrocannabinol content, dose unit, total number of doses available, and the ratio of cannabidiol to tetrahydrocannabinol for each product.

2. The price for a 30-day, 50-day, and 70-day supply at a standard dose for each marijuana and low-THC product available for purchase.

3. The price for each marijuana delivery device available for purchase.

4. If applicable, any discount policies and eligibility criteria for such discounts.

(j) Medical marijuana treatment centers are the sole source from which a qualified patient may legally obtain marijuana.

(k) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(9) BACKGROUND SCREENING.—An individual required to undergo a background screening pursuant to this section must pass a level 2 background screening as provided under chapter 435, which, in addition to the disqualifying offenses provided in s. 435.04, shall exclude an individual who has an arrest awaiting final disposition for, has been found guilty of, regardless of adjudication, or has entered a plea of nolo contendere or guilty to an offense under chapter 837, chapter 895, or chapter 896 or similar law of another jurisdiction.

(a) Such individual must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing.

(b) Fees for state and federal fingerprint processing and retention shall be borne by the individual. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e) for records provided to persons or entities other than those specified as exceptions therein.

(c) Fingerprints submitted to the Department of Law Enforcement pursuant to this subsection shall be retained by the Department of Law Enforcement as provided in s. 943.05(2)(g) and (h) and, when the Department of Law Enforcement begins participation in the program, enrolled in the Federal Bureau of Investigation's national retained print arrest notification program. Any arrest record identified shall be reported to the department.

(10) MEDICAL MARIJUANA TREATMENT CENTER INSPECTIONS; ADMINISTRATIVE ACTIONS.—

(a) The department shall conduct announced or unannounced inspections of medical marijuana treatment centers to determine compliance with this section or rules adopted pursuant to this section.

(b) The department shall inspect a medical marijuana treatment center upon receiving a complaint or notice that the medical marijuana treatment center has dispensed marijuana containing mold,

bacteria, or other contaminant that may cause or has caused an adverse effect to human health or the environment.

(c) The department shall conduct at least a biennial inspection of each medical marijuana treatment center to evaluate the medical marijuana treatment center's records, personnel, equipment, processes, security measures, sanitation practices, and quality assurance practices.

(d) The Department of Agriculture and Consumer Services and the department shall enter into an interagency agreement to ensure cooperation and coordination in the performance of their obligations under this section and their respective regulatory and authorizing laws. The department, the Department of Highway Safety and Motor Vehicles, and the Department of Law Enforcement may enter into interagency agreements for the purposes specified in this subsection or subsection (7).

(e) The department shall publish a list of all approved medical marijuana treatment centers, medical directors, and qualified physicians on its website.

(f) The department may impose reasonable fines not to exceed \$10,000 on a medical marijuana treatment center for any of the following violations:

1. Violating this section or department rule.
2. Failing to maintain qualifications for approval.
3. Endangering the health, safety, or security of a qualified patient.
4. Improperly disclosing personal and confidential information of the qualified patient.
5. Attempting to procure medical marijuana treatment center approval by bribery, fraudulent misrepresentation, or extortion.
6. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the business of a medical marijuana treatment center.
7. Making or filing a report or record that the medical marijuana treatment center knows to be false.
8. Willfully failing to maintain a record required by this section or department rule.
9. Willfully impeding or obstructing an employee or agent of the department in the furtherance of his or her official duties.
10. Engaging in fraud or deceit, negligence, incompetence, or misconduct in the business practices of a medical marijuana treatment center.
11. Making misleading, deceptive, or fraudulent representations in or related to the business practices of a medical marijuana treatment center.
12. Having a license or the authority to engage in any regulated profession, occupation, or business that is related to the business practices of a medical marijuana treatment center suspended, revoked, or otherwise acted against by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law.

13. Violating a lawful order of the department or an agency of the state, or failing to comply with a lawfully issued subpoena of the department or an agency of the state.

(g) The department may suspend, revoke, or refuse to renew a medical marijuana treatment center license if the medical marijuana treatment center commits any of the violations in paragraph (f).

(h) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(11) PREEMPTION.—Regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided in this subsection.

(a) A medical marijuana treatment center cultivating or processing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school.

(b)1. A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality. A county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality.

2. A municipality may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, medical marijuana treatment center dispensing facilities located within the boundaries of that municipality. A county may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, all such dispensing facilities located within the unincorporated areas of that county. Except as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465. A municipality or county may not charge a medical marijuana treatment center a license or permit fee in an amount greater than the fee charged by such municipality or county to pharmacies. A dispensing facility location approved by a municipality or county pursuant to former s. 381.986(8)(b), Florida Statutes 2016, is not subject to the location requirements of this subsection.

(c) A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location through a formal proceeding open to the public at which the county or municipality determines that the location promotes the public health, safety, and general welfare of the community.



(d) This subsection does not prohibit any local jurisdiction from ensuring medical marijuana treatment center facilities comply with the Florida Building Code, the Florida Fire Prevention Code, or any local amendments to the Florida Building Code or the Florida Fire Prevention Code.

(12) PENALTIES.—

(a) A qualified physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the qualified physician issues a physician certification for the medical use of marijuana for a patient without a reasonable belief that the patient is suffering from a qualifying medical condition.

(b) A person who fraudulently represents that he or she has a qualifying medical condition to a qualified physician for the purpose of being issued a physician certification commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) A qualified patient who uses marijuana, not including low-THC cannabis, or a caregiver who administers marijuana, not including low-THC cannabis, in plain view of or in a place open to the general public; in a school bus, a vehicle, an aircraft, or a boat; or on the grounds of a school except as provided in s. 1006.062, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(d) A qualified patient or caregiver who cultivates marijuana or who purchases or acquires marijuana from any person or entity other than a medical marijuana treatment center violates s. 893.13 and is subject to the penalties provided therein.

(e)1. A qualified patient or caregiver in possession of marijuana or a marijuana delivery device who fails or refuses to present his or her marijuana use registry identification card upon the request of a law enforcement officer commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, unless it can be determined through the medical marijuana use registry that the person is authorized to be in possession of that marijuana or marijuana delivery device.

2. A person charged with a violation of this paragraph may not be convicted if, before or at the time of his or her court or hearing appearance, the person produces in court or to the clerk of the court in which the charge is pending a medical marijuana use registry identification card issued to him or her which is valid at the time of his or her arrest. The clerk of the court is authorized to dismiss such case at any time before the defendant's appearance in court. The clerk of the court may assess a fee of \$5 for dismissing the case under this paragraph.

(f) A caregiver who violates any of the applicable provisions of this section or applicable department rules, for the first offense, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 and, for a second or subsequent offense, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(g) A qualified physician who issues a physician certification for marijuana or a marijuana delivery device and receives compensation from a medical marijuana treatment center related to the issuance

of a physician certification for marijuana or a marijuana delivery device is subject to disciplinary action under the applicable practice act and s. 456.072(1)(n).

(h) A person transporting marijuana or marijuana delivery devices on behalf of a medical marijuana treatment center or marijuana testing laboratory who fails or refuses to present a transportation manifest upon the request of a law enforcement officer commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(i) Persons and entities conducting activities authorized and governed by this section and s. 381.988 are subject to ss. 456.053, 456.054, and 817.505, as applicable.

(j) A person or entity that cultivates, processes, distributes, sells, or dispenses marijuana, as defined in s. 29(b)(4), Art. X of the State Constitution, and is not licensed as a medical marijuana treatment center violates s. 893.13 and is subject to the penalties provided therein.

(k) A person who manufactures, distributes, sells, gives, or possesses with the intent to manufacture, distribute, sell, or give marijuana or a marijuana delivery device that he or she holds out to have originated from a licensed medical marijuana treatment center but that is counterfeit commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For the purposes of this paragraph, the term “counterfeit” means marijuana; a marijuana delivery device; or a marijuana or marijuana delivery device container, seal, or label which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a licensed medical marijuana treatment center and which thereby falsely purports or is represented to be the product of, or to have been distributed by, that licensed medical marijuana treatment facility.

(l) Any person who possesses or manufactures a blank, forged, stolen, fictitious, fraudulent, counterfeit, or otherwise unlawfully issued medical marijuana use registry identification card commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(13) UNLICENSED ACTIVITY.—

(a) If the department has probable cause to believe that a person or entity that is not registered or licensed with the department has violated this section, s. 381.988, or any rule adopted pursuant to this section, the department may issue and deliver to such person or entity a notice to cease and desist from such violation. The department also may issue and deliver a notice to cease and desist to any person or entity who aids and abets such unlicensed activity. The issuance of a notice to cease and desist does not constitute agency action for which a hearing under s. 120.569 or s. 120.57 may be sought. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person or entity who violates any provisions of such order.

(b) In addition to the remedies under paragraph (a), the department may impose by citation an administrative penalty not to exceed \$5,000 per incident. The citation shall be issued to the subject and must contain the subject’s name and any other information the department determines to be

necessary to identify the subject, a brief factual statement, the sections of the law allegedly violated, and the penalty imposed. If the subject does not dispute the matter in the citation with the department within 30 days after the citation is served, the citation shall become a final order of the department. The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section. Each day that the unlicensed activity continues after issuance of a notice to cease and desist constitutes a separate violation. The department shall be entitled to recover the costs of investigation and prosecution in addition to the fine levied pursuant to the citation. Service of a citation may be made by personal service or by mail to the subject at the subject's last known address or place of practice. If the department is required to seek enforcement of the cease and desist or agency order, it shall be entitled to collect attorney fees and costs.

(c) In addition to or in lieu of any other administrative remedy, the department may seek the imposition of a civil penalty through the circuit court for any violation for which the department may issue a notice to cease and desist. The civil penalty shall be no less than \$5,000 and no more than \$10,000 for each offense. The court may also award to the prevailing party court costs and reasonable attorney fees and, in the event the department prevails, may also award reasonable costs of investigation and prosecution.

(d) In addition to the other remedies provided in this section, the department or any state attorney may bring an action for an injunction to restrain any unlicensed activity or to enjoin the future operation or maintenance of the unlicensed activity or the performance of any service in violation of this section.

(e) The department must notify local law enforcement of such unlicensed activity for a determination of any criminal violation of chapter 893.

(14) EXCEPTIONS TO OTHER LAWS.—

(a) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a qualified patient and the qualified patient's caregiver may purchase from a medical marijuana treatment center for the patient's medical use a marijuana delivery device and up to the amount of marijuana authorized in the physician certification, but may not possess more than a 70-day supply of marijuana at any given time and all marijuana purchased must remain in its original packaging.

(b) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved medical marijuana treatment center and its owners, managers, and employees may manufacture, possess, sell, deliver, distribute, dispense, and lawfully dispose of marijuana or a marijuana delivery device as provided in this section, s. 381.988, and by department rule. For the purposes of this subsection, the terms "manufacture," "possession," "deliver," "distribute," and "dispense" have the same meanings as provided in s. 893.02.

(c) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a certified marijuana testing laboratory, including an employee of a certified marijuana testing laboratory acting within the scope of his or her employment, may acquire, possess, test, transport, and lawfully dispose of marijuana as provided in this section, in s. 381.988, and by department rule.

(d) A licensed medical marijuana treatment center and its owners, managers, and employees are not subject to licensure or regulation under chapter 465 or chapter 499 for manufacturing, possessing, selling, delivering, distributing, dispensing, or lawfully disposing of marijuana or a marijuana delivery device, as provided in this section, in s. 381.988, and by department rule.

(e) This subsection does not exempt a person from prosecution for a criminal offense related to impairment or intoxication resulting from the medical use of marijuana or relieve a person from any requirement under law to submit to a breath, blood, urine, or other test to detect the presence of a controlled substance.

(f) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section and pursuant to policies and procedures established pursuant to s. 1006.62(8), school personnel may possess marijuana that is obtained for medical use pursuant to this section by a student who is a qualified patient.

(g) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a research institute established by a public postsecondary educational institution, such as the H. Lee Moffitt Cancer Center and Research Institute, Inc., established under s. 1004.43, or a state university that has achieved the preeminent state research university designation under s. 1001.7065 may possess, test, transport, and lawfully dispose of marijuana for research purposes as provided by this section.

(15) **APPLICABILITY.**—This section does not limit the ability of an employer to establish, continue, or enforce a drug-free workplace program or policy. This section does not require an employer to accommodate the medical use of marijuana in any workplace or any employee working while under the influence of marijuana. This section does not create a cause of action against an employer for wrongful discharge or discrimination. Marijuana, as defined in this section, is not reimbursable under chapter 440.

(16) **FINES AND FEES.**—Fines and fees collected by the department under this section shall be deposited in the Grants and Donations Trust Fund within the Department of Health.

<sup>3</sup>(17) Rules adopted pursuant to this section before July 1, 2019, are not subject to s. 120.541(3). Notwithstanding paragraph (8)(e), a medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification pursuant to s. 381.988, but in no event later than July 1, 2019. This subsection expires July 1, 2019.

**History.**—s. 2, ch. 2014-157; s. 1, ch. 2016-123; s. 24, ch. 2016-145; ss. 1, 3, 18, ch. 2017-232; s. 29, ch. 2018-10; s. 43, ch. 2018-110; s. 1, ch. 2018-142.

<sup>1</sup>**Note.**—

A. Section 1, ch. 2017-232, provides that “[i]t is the intent of the Legislature to implement s. 29, Article X of the State Constitution by creating a unified regulatory structure. If s. 29, Article X of the State Constitution is amended or a constitutional amendment related to cannabis or marijuana is adopted, this act shall expire 6 months after the effective date of such amendment.” If such amendment or adoption takes place, s. 381.986, as amended by s. 1, ch. 2017-232, will read:

**381.986 Compassionate use of low-THC and medical cannabis.**—

(1) **DEFINITIONS.**—As used in this section, the term:

(a) “Cannabis delivery device” means an object used, intended for use, or designed for use in preparing, storing, ingesting, inhaling, or otherwise introducing low-THC cannabis or medical cannabis into the human body.

(b) “Dispensing organization” means an organization approved by the department to cultivate, process, transport, and dispense low-THC cannabis or medical cannabis pursuant to this section.

(c) “Independent testing laboratory” means a laboratory, including the managers, employees, or contractors of the laboratory, which has no direct or indirect interest in a dispensing organization.

(d) “Legal representative” means the qualified patient’s parent, legal guardian acting pursuant to a court’s authorization as required under s. 744.3215(4), health care surrogate acting pursuant to the qualified patient’s written consent or a court’s authorization as required under s. 765.113, or an individual who is authorized under a power of attorney to make health care decisions on behalf of the qualified patient.

(e) “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 dispensing organization.

(f) “Medical cannabis” means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant or its seeds or resin that is dispensed only from a dispensing organization for medical use by an eligible patient as defined in s. 499.0295.

(g) “Medical use” means administration of the ordered amount of low-THC cannabis or medical cannabis. The term does not include the:

1. Possession, use, or administration of low-THC cannabis or medical cannabis by smoking.
2. Transfer of low-THC cannabis or medical cannabis to a person other than the qualified patient for whom it was ordered or the qualified patient’s legal representative on behalf of the qualified patient.
3. Use or administration of low-THC cannabis or medical cannabis:
  - a. On any form of public transportation.
  - b. In any public place.

- c. In a qualified patient's place of employment, if restricted by his or her employer.
- d. In a state correctional institution as defined in s. 944.02 or a correctional institution as defined in s. 944.241.
- e. On the grounds of a preschool, primary school, or secondary school.
- f. On a school bus or in a vehicle, aircraft, or motorboat.

(h) "Qualified patient" means a resident of this state who has been added to the compassionate use registry by a physician licensed under chapter 458 or chapter 459 to receive low-THC cannabis or medical cannabis from a dispensing organization.

(i) "Smoking" means burning or igniting a substance and inhaling the smoke. Smoking does not include the use of a vaporizer.

(2) PHYSICIAN ORDERING.—A physician is authorized to order low-THC cannabis to treat a qualified patient suffering from cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms; order low-THC cannabis to alleviate symptoms of such disease, disorder, or condition, if no other satisfactory alternative treatment options exist for the qualified patient; order medical cannabis to treat an eligible patient as defined in s. 499.0295; or order a cannabis delivery device for the medical use of low-THC cannabis or medical cannabis, only if the physician:

(a) Holds an active, unrestricted license as a physician under chapter 458 or an osteopathic physician under chapter 459;

(b) Has treated the patient for at least 3 months immediately preceding the patient's registration in the compassionate use registry;

(c) Has successfully completed the course and examination required under paragraph (4)(a);

(d) Has determined that the risks of treating the patient with low-THC cannabis or medical cannabis are reasonable in light of the potential benefit to the patient. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such determination must be documented in the patient's medical record;

(e) Registers as the orderer of low-THC cannabis or medical cannabis for the named patient on the compassionate use registry maintained by the department and updates the registry to reflect the contents of the order, including the amount of low-THC cannabis or medical cannabis that will provide the patient with not more than a 45-day supply and a cannabis delivery device needed by the patient for the medical use of low-THC cannabis or medical cannabis. The physician must also update the registry within 7 days after any change is made to the original order to reflect the change. The physician shall deactivate the registration of the patient and the patient's legal representative when treatment is discontinued;

(f) Maintains a patient treatment plan that includes the dose, route of administration, planned duration, and monitoring of the patient's symptoms and other indicators of tolerance or reaction to the low-THC cannabis or medical cannabis;

(g) Submits the patient treatment plan quarterly to the University of Florida College of Pharmacy for research on the safety and efficacy of low-THC cannabis and medical cannabis on patients;

(h) Obtains the voluntary written informed consent of the patient or the patient's legal representative to treatment with low-THC cannabis after sufficiently explaining the current state of knowledge in the medical community of the

effectiveness of treatment of the patient's condition with low-THC cannabis, the medically acceptable alternatives, and the potential risks and side effects;

(i) Obtains written informed consent as defined in and required under s. 499.0295, if the physician is ordering medical cannabis for an eligible patient pursuant to that section; and

(j) Is not a medical director employed by a dispensing organization.

(3) PENALTIES.—

(a) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders low-THC cannabis for a patient without a reasonable belief that the patient is suffering from:

1. Cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be treated with low-THC cannabis; or

2. Symptoms of cancer or a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms that can be alleviated with low-THC cannabis.

(b) A physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the physician orders medical cannabis for a patient without a reasonable belief that the patient has a terminal condition as defined in s. 499.0295.

(c) A person who fraudulently represents that he or she has cancer, a physical medical condition that chronically produces symptoms of seizures or severe and persistent muscle spasms, or a terminal condition to a physician for the purpose of being ordered low-THC cannabis, medical cannabis, or a cannabis delivery device by such physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(d) An eligible patient as defined in s. 499.0295 who uses medical cannabis, and such patient's legal representative who administers medical cannabis, in plain view of or in a place open to the general public, on the grounds of a school, or in a school bus, vehicle, aircraft, or motorboat, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(e) A physician who orders low-THC cannabis, medical cannabis, or a cannabis delivery device and receives compensation from a dispensing organization related to the ordering of low-THC cannabis, medical cannabis, or a cannabis delivery device is subject to disciplinary action under the applicable practice act and s. 456.072(1)(n).

(4) PHYSICIAN EDUCATION.—

(a) Before ordering low-THC cannabis, medical cannabis, or a cannabis delivery device for medical use by a patient in this state, the appropriate board shall require the ordering physician to successfully complete an 8-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association that encompasses the clinical indications for the appropriate use of low-THC cannabis and medical cannabis, the appropriate cannabis delivery devices, the contraindications for such use, and the relevant state and federal laws governing the ordering, dispensing, and possessing of these substances and devices. The course and examination shall be administered at least annually. Successful completion of the course may be used by a physician to satisfy 8 hours of the continuing medical education requirements required by his or her respective board for licensure renewal. This course may be offered in a distance learning format.

(b) The appropriate board shall require the medical director of each dispensing organization to hold an active, unrestricted license as a physician under chapter 458 or as an osteopathic physician under chapter 459 and successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association that encompasses appropriate safety procedures and knowledge of low-THC cannabis, medical cannabis, and cannabis delivery devices.

(c) Successful completion of the course and examination specified in paragraph (a) is required for every physician who orders low-THC cannabis, medical cannabis, or a cannabis delivery device each time such physician renews his or her license. In addition, successful completion of the course and examination specified in paragraph (b) is required for the medical director of each dispensing organization each time such physician renews his or her license.

(d) A physician who fails to comply with this subsection and who orders low-THC cannabis, medical cannabis, or a cannabis delivery device may be subject to disciplinary action under the applicable practice act and under s. 456.072(1)(k).

(5) DUTIES OF THE DEPARTMENT.—The department shall:

(a) Create and maintain a secure, electronic, and online compassionate use registry for the registration of physicians, patients, and the legal representatives of patients as provided under this section. The registry must be accessible to law enforcement agencies and to a dispensing organization to verify the authorization of a patient or a patient's legal representative to possess low-THC cannabis, medical cannabis, or a cannabis delivery device and record the low-THC cannabis, medical cannabis, or cannabis delivery device dispensed. The registry must prevent an active registration of a patient by multiple physicians.

(b) Authorize the establishment of five dispensing organizations to ensure reasonable statewide accessibility and availability as necessary for patients registered in the compassionate use registry and who are ordered low-THC cannabis, medical cannabis, or a cannabis delivery device under this section, one in each of the following regions: northwest Florida, northeast Florida, central Florida, southeast Florida, and southwest Florida. The department shall develop an application form and impose an initial application and biennial renewal fee that is sufficient to cover the costs of administering this section. An applicant for approval as a dispensing organization must be able to demonstrate:

1. The technical and technological ability to cultivate and produce low-THC cannabis. The applicant must possess a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131 that is issued for the cultivation of more than 400,000 plants, be operated by a nurseryman as defined in s. 581.011, and have been operated as a registered nursery in this state for at least 30 continuous years.

2. The ability to secure the premises, resources, and personnel necessary to operate as a dispensing organization.

3. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.

4. An infrastructure reasonably located to dispense low-THC cannabis to registered patients statewide or regionally as determined by the department.

5. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financials to the department. Upon approval, the applicant must post a \$5 million performance bond. However,



upon a dispensing organization's serving at least 1,000 qualified patients, the dispensing organization is only required to maintain a \$2 million performance bond.

6. That all owners and managers have been fingerprinted and have successfully passed a level 2 background screening pursuant to s. 435.04.

7. The employment of a medical director to supervise the activities of the dispensing organization.

(c) Upon the registration of 250,000 active qualified patients in the compassionate use registry, approve three dispensing organizations, including, but not limited to, an applicant that is a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011), and a member of the Black Farmers and Agriculturalists Association, which must meet the requirements of subparagraphs (b)2.-7. and demonstrate the technical and technological ability to cultivate and produce low-THC cannabis.

(d) Allow a dispensing organization to make a wholesale purchase of low-THC cannabis or medical cannabis from, or a distribution of low-THC cannabis or medical cannabis to, another dispensing organization.

(e) Monitor physician registration and ordering of low-THC cannabis, medical cannabis, or a cannabis delivery device for ordering practices that could facilitate unlawful diversion or misuse of low-THC cannabis, medical cannabis, or a cannabis delivery device and take disciplinary action as indicated.

(6) DISPENSING ORGANIZATION.—An approved dispensing organization must, at all times, maintain compliance with the criteria demonstrated for selection and approval as a dispensing organization under subsection (5) and the criteria required in this subsection.

(a) When growing low-THC cannabis or medical cannabis, a dispensing organization:

1. May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.

2. Must grow low-THC cannabis or medical cannabis within an enclosed structure and in a room separate from any other plant.

3. Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state, notify the Department of Agriculture and Consumer Services within 10 calendar days after a determination that a plant is infested or infected by such plant pest, and implement and maintain phytosanitary policies and procedures.

4. Must perform fumigation or treatment of plants, or the removal and destruction of infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.

(b) When processing low-THC cannabis or medical cannabis, a dispensing organization must:

1. Process the low-THC cannabis or medical cannabis within an enclosed structure and in a room separate from other plants or products.

2. Test the processed low-THC cannabis and medical cannabis before they are dispensed. Results must be verified and signed by two dispensing organization employees. Before dispensing low-THC cannabis, the dispensing organization must determine that the test results indicate that the low-THC cannabis meets the definition of low-THC cannabis and, for

medical cannabis and low-THC cannabis, that all medical cannabis and low-THC cannabis is safe for human consumption and free from contaminants that are unsafe for human consumption. The dispensing organization must retain records of all testing and samples of each homogenous batch of cannabis and low-THC cannabis for at least 9 months. The dispensing organization must contract with an independent testing laboratory to perform audits on the dispensing organization's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the low-THC cannabis or medical cannabis meets the requirements of this section and that the medical cannabis and low-THC cannabis is safe for human consumption.

3. Package the low-THC cannabis or medical cannabis in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

4. Package the low-THC cannabis or medical cannabis in a receptacle that has a firmly affixed and legible label stating the following information:

- a. A statement that the low-THC cannabis or medical cannabis meets the requirements of subparagraph 2.;
  - b. The name of the dispensing organization from which the medical cannabis or low-THC cannabis originates; and
  - c. The batch number and harvest number from which the medical cannabis or low-THC cannabis originates.
5. Reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of testing pursuant to the audit required under subparagraph 2.

(c) When dispensing low-THC cannabis, medical cannabis, or a cannabis delivery device, a dispensing organization:

1. May not dispense more than a 45-day supply of low-THC cannabis or medical cannabis to a patient or the patient's legal representative.

2. Must have the dispensing organization's employee who dispenses the low-THC cannabis, medical cannabis, or a cannabis delivery device enter into the compassionate use registry his or her name or unique employee identifier.

3. Must verify in the compassionate use registry that a physician has ordered the low-THC cannabis, medical cannabis, or a specific type of a cannabis delivery device for the patient.

4. May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes, bongs, or wrapping papers, other than a physician-ordered cannabis delivery device required for the medical use of low-THC cannabis or medical cannabis, while dispensing low-THC cannabis or medical cannabis.

5. Must verify that the patient has an active registration in the compassionate use registry, the patient or patient's legal representative holds a valid and active registration card, the order presented matches the order contents as recorded in the registry, and the order has not already been filled.

6. Must, upon dispensing the low-THC cannabis, medical cannabis, or cannabis delivery device, record in the registry the date, time, quantity, and form of low-THC cannabis or medical cannabis dispensed and the type of cannabis delivery device dispensed.

(d) To ensure the safety and security of its premises and any off-site storage facilities, and to maintain adequate controls against the diversion, theft, and loss of low-THC cannabis, medical cannabis, or cannabis delivery devices, a dispensing organization shall:

1.a. Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; or

b. Maintain a video surveillance system that records continuously 24 hours each day and meets at least one of the following criteria:

(I) Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms;

(II) Cameras are fixed in entrances and exits to the premises, which shall record from both indoor and outdoor, or ingress and egress, vantage points;

(III) Recorded images must clearly and accurately display the time and date; or

(IV) Retain video surveillance recordings for a minimum of 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the organization's outdoor premises have sufficient lighting from dusk until dawn.

3. Establish and maintain a tracking system approved by the department that traces the low-THC cannabis or medical cannabis from seed to sale. The tracking system shall include notification of key events as determined by the department, including when cannabis seeds are planted, when cannabis plants are harvested and destroyed, and when low-THC cannabis or medical cannabis is transported, sold, stolen, diverted, or lost.

4. Not dispense from its premises low-THC cannabis, medical cannabis, or a cannabis delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver low-THC cannabis and medical cannabis to qualified patients 24 hours each day.

5. Store low-THC cannabis or medical cannabis in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times.

7. Require each employee to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor's pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement within 24 hours after it is notified or becomes aware of the theft, diversion, or loss of low-THC cannabis or medical cannabis.

(e) To ensure the safe transport of low-THC cannabis or medical cannabis to dispensing organization facilities, independent testing laboratories, or patients, the dispensing organization must:

1. Maintain a transportation manifest, which must be retained for at least 1 year.

2. Ensure only vehicles in good working order are used to transport low-THC cannabis or medical cannabis.

3. Lock low-THC cannabis or medical cannabis in a separate compartment or container within the vehicle.

4. Require at least two persons to be in a vehicle transporting low-THC cannabis or medical cannabis, and require at least one person to remain in the vehicle while the low-THC cannabis or medical cannabis is being delivered.

5. Provide specific safety and security training to employees transporting or delivering low-THC cannabis or medical cannabis.

(7) DEPARTMENT AUTHORITY AND RESPONSIBILITIES.—

(a) The department may conduct announced or unannounced inspections of dispensing organizations to determine compliance with this section or rules adopted pursuant to this section.

(b) The department shall inspect a dispensing organization upon complaint or notice provided to the department that the dispensing organization has dispensed low-THC cannabis or medical cannabis containing any mold, bacteria, or other contaminant that may cause or has caused an adverse effect to human health or the environment.

(c) The department shall conduct at least a biennial inspection of each dispensing organization to evaluate the dispensing organization's records, personnel, equipment, processes, security measures, sanitation practices, and quality assurance practices.

(d) The department may enter into interagency agreements with the Department of Agriculture and Consumer Services, the Department of Business and Professional Regulation, the Department of Transportation, the Department of Highway Safety and Motor Vehicles, and the Agency for Health Care Administration, and such agencies are authorized to enter into an interagency agreement with the department, to conduct inspections or perform other responsibilities assigned to the department under this section.

(e) The department must make a list of all approved dispensing organizations and qualified ordering physicians and medical directors publicly available on its website.

(f) The department may establish a system for issuing and renewing registration cards for patients and their legal representatives, establish the circumstances under which the cards may be revoked by or must be returned to the department, and establish fees to implement such system. The department must require, at a minimum, the registration cards to:

1. Provide the name, address, and date of birth of the patient or legal representative.
2. Have a full-face, passport-type, color photograph of the patient or legal representative taken within the 90 days immediately preceding registration.
3. Identify whether the cardholder is a patient or legal representative.
4. List a unique numeric identifier for the patient or legal representative that is matched to the identifier used for such person in the department's compassionate use registry.
5. Provide the expiration date, which shall be 1 year after the date of the physician's initial order of low-THC cannabis or medical cannabis.
6. For the legal representative, provide the name and unique numeric identifier of the patient that the legal representative is assisting.
7. Be resistant to counterfeiting or tampering.

(g) The department may impose reasonable fines not to exceed \$10,000 on a dispensing organization for any of the following violations:

1. Violating this section, s. 499.0295, or department rule.

2. Failing to maintain qualifications for approval.
  3. Endangering the health, safety, or security of a qualified patient.
  4. Improperly disclosing personal and confidential information of the qualified patient.
  5. Attempting to procure dispensing organization approval by bribery, fraudulent misrepresentation, or extortion.
  6. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the business of a dispensing organization.
  7. Making or filing a report or record that the dispensing organization knows to be false.
  8. Willfully failing to maintain a record required by this section or department rule.
  9. Willfully impeding or obstructing an employee or agent of the department in the furtherance of his or her official duties.
  10. Engaging in fraud or deceit, negligence, incompetence, or misconduct in the business practices of a dispensing organization.
  11. Making misleading, deceptive, or fraudulent representations in or related to the business practices of a dispensing organization.
  12. Having a license or the authority to engage in any regulated profession, occupation, or business that is related to the business practices of a dispensing organization suspended, revoked, or otherwise acted against by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law.
  13. Violating a lawful order of the department or an agency of the state, or failing to comply with a lawfully issued subpoena of the department or an agency of the state.
- (h) The department may suspend, revoke, or refuse to renew a dispensing organization's approval if a dispensing organization commits any of the violations in paragraph (g).
- (i) The department shall renew the approval of a dispensing organization biennially if the dispensing organization meets the requirements of this section and pays the biennial renewal fee.
- (j) The department may adopt rules necessary to implement this section.
- (8) PREEMPTION.—
- (a) All matters regarding the regulation of the cultivation and processing of medical cannabis or low-THC cannabis by dispensing organizations are preempted to the state.
- (b) A municipality may determine by ordinance the criteria for the number and location of, and other permitting requirements that do not conflict with state law or department rule for, dispensing facilities of dispensing organizations located within its municipal boundaries. A county may determine by ordinance the criteria for the number, location, and other permitting requirements that do not conflict with state law or department rule for all dispensing facilities of dispensing organizations located within the unincorporated areas of that county.
- (9) EXCEPTIONS TO OTHER LAWS.—
- (a) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a qualified patient and the qualified patient's legal representative may purchase and possess for the

patient's medical use up to the amount of low-THC cannabis or medical cannabis ordered for the patient, but not more than a 45-day supply, and a cannabis delivery device ordered for the patient.

(b) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved dispensing organization and its owners, managers, and employees may manufacture, possess, sell, deliver, distribute, dispense, and lawfully dispose of reasonable quantities, as established by department rule, of low-THC cannabis, medical cannabis, or a cannabis delivery device. For purposes of this subsection, the terms "manufacture," "possession," "deliver," "distribute," and "dispense" have the same meanings as provided in s. 893.02.

(c) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved independent testing laboratory may possess, test, transport, and lawfully dispose of low-THC cannabis or medical cannabis as provided by department rule.

(d) An approved dispensing organization and its owners, managers, and employees are not subject to licensure or regulation under chapter 465 or chapter 499 for manufacturing, possessing, selling, delivering, distributing, dispensing, or lawfully disposing of reasonable quantities, as established by department rule, of low-THC cannabis, medical cannabis, or a cannabis delivery device.

(e) An approved dispensing organization that continues to meet the requirements for approval is presumed to be registered with the department and to meet the regulations adopted by the department or its successor agency for the purpose of dispensing medical cannabis or low-THC cannabis under Florida law. Additionally, the authority provided to a dispensing organization in s. 499.0295 does not impair the approval of a dispensing organization.

(f) This subsection does not exempt a person from prosecution for a criminal offense related to impairment or intoxication resulting from the medical use of low-THC cannabis or medical cannabis or relieve a person from any requirement under law to submit to a breath, blood, urine, or other test to detect the presence of a controlled substance.

B. Section 14(1), ch. 2017-232, provides that:

"(1) EMERGENCY RULEMAKING.—

"(a) The Department of Health and the applicable boards shall adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, and this section necessary to implement ss. 381.986 and 381.988, Florida Statutes. If an emergency rule adopted under this section is held to be unconstitutional or an invalid exercise of delegated legislative authority, and becomes void, the department or the applicable boards may adopt an emergency rule pursuant to this section to replace the rule that has become void. If the emergency rule adopted to replace the void emergency rule is also held to be unconstitutional or an invalid exercise of delegated legislative authority and becomes void, the department and the applicable boards must follow the nonemergency rulemaking procedures of the Administrative Procedures Act to replace the rule that has become void.

"(b) For emergency rules adopted under this section, the department and the applicable boards need not make the findings required by s. 120.54(4)(a), Florida Statutes. Emergency rules adopted under this section are exempt from ss. 120.54(3)(b) and 120.541, Florida Statutes. The department and the applicable boards shall meet the procedural requirements in s. 120.54(a), Florida Statutes, if the department or the applicable boards have, before [June 23, 2017], held any public workshops or hearings on the subject matter of the emergency rules adopted under this subsection.

Challenges to emergency rules adopted under this subsection are subject to the time schedules provided in s. 120.56(5), Florida Statutes.

“(c) Emergency rules adopted under this section are exempt from s. 120.54(4)(c), Florida Statutes, and shall remain in effect until replaced by rules adopted under the nonemergency rulemaking procedures of the Administrative Procedures Act. By January 1, 2018, the department and the applicable boards shall initiate nonemergency rulemaking pursuant to the Administrative Procedures Act to replace all emergency rules adopted under this section by publishing a notice of rule development in the Florida Administrative Register. Except as provided in paragraph (a), after January 1, 2018, the department and applicable boards may not adopt rules pursuant to the emergency rulemaking procedures provided in this section.”

<sup>2</sup>**Note.**—Section 14(2), ch. 2017-232, provides that:

“(2) CAUSE OF ACTION.—

“(a) As used in s. 29(d)(3), Article X of the State Constitution, the term:

“1. ‘Issue regulations’ means the filing by the department of a rule or emergency rule for adoption with the Department of State.

“2. ‘Judicial relief’ means an action for declaratory judgment pursuant to chapter 86, Florida Statutes.

“(b) The venue for actions brought against the department pursuant to s. 29(d)(3), Article X of the State Constitution shall be in the circuit court in and for Leon County.

“(c) If the department is not issuing patient and caregiver identification cards or licensing medical marijuana treatment centers by October 3, 2017, the following shall be a defense to a cause of action brought under s. 29(d)(3), Article X of the State Constitution:

“1. The department is unable to issue patient and caregiver identification cards or license medical marijuana treatment centers due to litigation challenging a rule as an invalid exercise of delegated legislative authority or unconstitutional.

“2. The department is unable to issue patient or caregiver identification cards or license medical marijuana treatment centers due to a rule being held as an invalid exercise of delegated legislative authority or unconstitutional.”

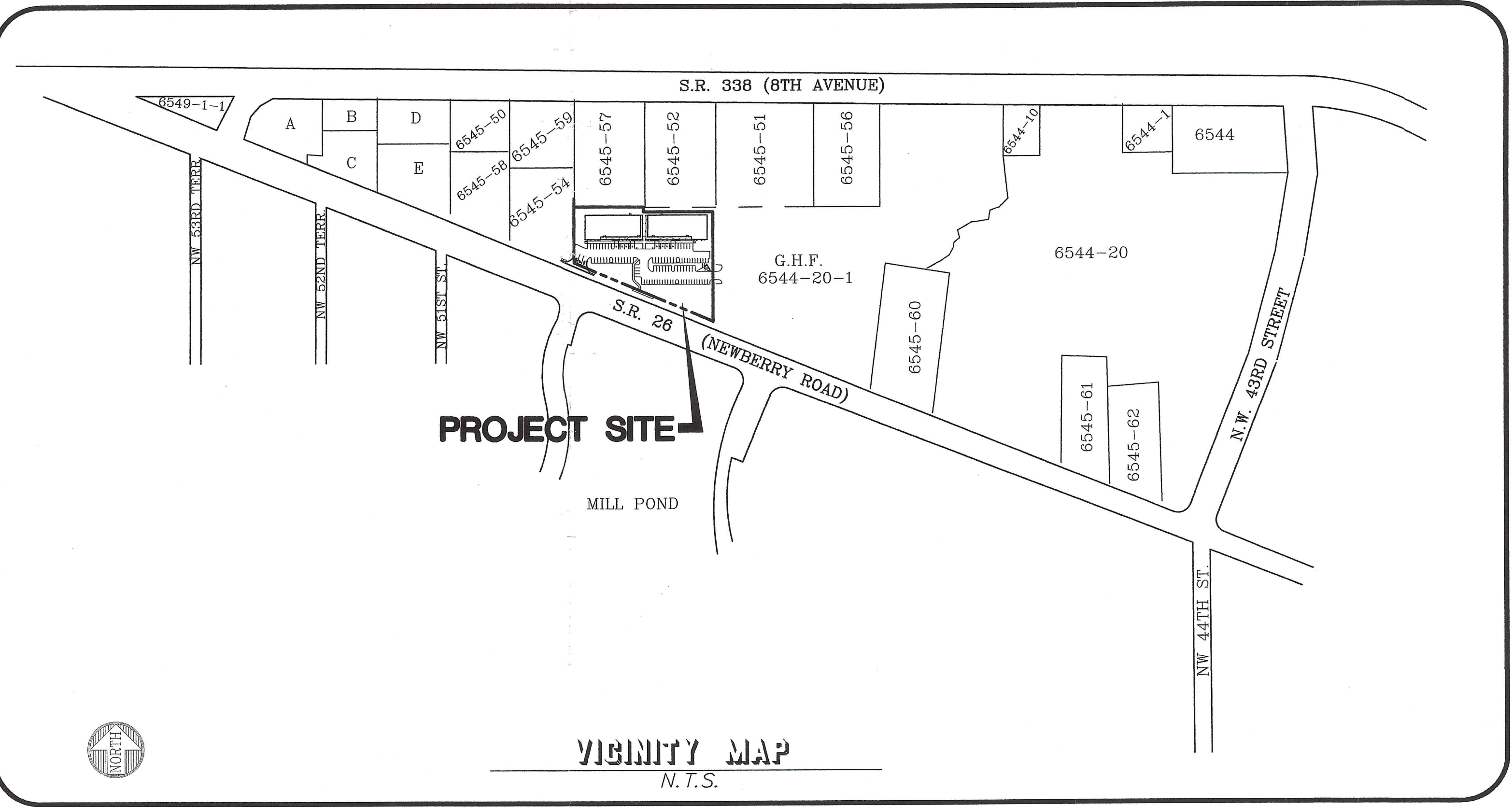
<sup>3</sup>**Note.**—Section 29, ch. 2018-10, added subsection (17) “[i]n order to implement Specific Appropriations 422 and 424 of the 2018-2019 General Appropriations Act.”



REVISED FINAL  
SITE PLAN  
FOR  
**PROFESSIONAL  
COURTYARD CENTER**

4920 NEWBERRY ROAD (S.R. 26)  
GAINESVILLE, FLORIDA

INDEX	
SHEETS	TITLE
1	COVER SHEET/CONTENTS OF SET
2	EXISTING TOPOGRAPHIC MAP
3	SITE AND HORIZONTAL CONTROL PLAN
4	PAVING, GRADING AND DRAINAGE PLAN
5	WATER AND WASTEWATER SITE PLAN
6	WASTEWATER PLAN/PROFILE
7	DETAIL SHEET
8	MEDIAN MODIFICATIONS TO S.R. 26.
L-1	LANDSCAPE PLAN (BY BUFORD DAVIS AND ASSOC.)
A-1	ARCHITECTURAL ELEVATIONS - (BY RSC AND ASSOC.)



GENERAL NOTES

- DEVELOPMENT DATA:

TOTAL AREA=	93866 S.F.	100 %	2.15 ACRES
BUILDING AREA=	24,282 S.F.	25.9 %	
PAVED AREA=	32,008 S.F.	34.1 %	
IMPERVIOUS AREA=	34,166 S.F.	60.0 %	
OPEN AREA=	37,576 S.F.	40.0 %	

(1) BUILDING AREA EQUALS AREA WITHIN EXTERIOR WALLS, PLUS COVERED SIDEWALK.  
(2) PAVED AREA EQUALS ALL IMPERVIOUS AREAS NOT INCLUDED AS BUILDING AREA.
- PARKING:

REQUIRED: 1 SPACE PER 200 S.F. BUILDING AREA FOR MEDICAL OFFICES & 1 SPACE PER 300 S.F. BLDG. AREA FOR GENERAL/PROFESSIONAL OFFICES.

CAR:	MEDICAL	GENERAL	
BUILDING No. 1	2,020 S.F./200	8,746 S.F./300	= 40 PARKING SPACES
BUILDING No. 2	10,731 S.F./200	0 S.F./300	= 54 PARKING SPACES
			<b>94 PARKING SPACES</b>

BIKE: 5% OF VEHICLES SPACES FOR MEDICAL OFFICES OR 3 TOTAL  
10% OF VEHICLES SPACES FOR GENERAL PROFESSIONAL OFFICES OR 3 TOTAL  
TOTAL OF 6 REQUIRED.

PROVIDED:

CAR:	
STANDARD:	62
COMPACT:	25
HANDICAP:	8
TOTAL:	95

BIKE: 4 U-SHAPED BIKE RACKS OR 8 SPACES.
- SITE ZONING: SPECIAL AREA PLAN DISTRICT  
BUILDING SETBACKS ARE 60' LIGHT ANGLE OF OBSTRUCTION.
- UTILITIES: SEE SHEET 5 FOR DETAILS.

WATER: CONNECT TO EXISTING ON-SITE GRU 8" WATER MAIN. PROVIDE GANG METER ASSEMBLY FOR POTABLE WATER SYSTEM AND NEW ON-SITE FIRE HYDRANT.

WASTEWATER: CONNECT TO EXISTING SANITARY SEWER GRAVITY SEWER SYSTEM LOCATED AT EAST PROPERTY LINE. PROVIDE LATERAL CONNECTIONS TO EACH BUILDING.

ELECTRIC: CONNECT TO ADJACENT GRU ELECTRICAL FACILITIES LOCATED IN S.R. 26. PROVIDE TWO (2) ON-SITE TRANSFORMERS.
- STORMWATER: THE ON-SITE SWF WILL PROVIDE WATER QUALITY TREATMENT PER CITY OF GAINESVILLE AND ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT CRITERIA AND WILL DETAIN THE POST-DEVELOPED RATE OF RUNOFF SUCH THAT THE OFF-SITE DISCHARGE RATE DOES NOT EXCEED PRE-DEVELOPED RATES FOR THE CRITICAL DURATION 100-YEAR STORM EVENT.
- REFUSE COLLECTION: DUMPSTER, SEE PLAN FOR LOCATION.
- THE SITE IS NOT IN THE HISTORICAL PRESERVATION DISTRICT.
- THE SITE IS NOT IN A FLOOD PLAIN DISTRICT. THE SITE IS IN FEDERAL FLOOD ZONE 'C'. AREAS OF MINIMAL FLOODING.
- PARKING LOT LIGHTING WILL BE PROVIDED AND WILL MEET CITY OF GAINESVILLE ORDINANCE REQUIREMENTS.
- FIRE PROTECTION: FIRE FLOW CALCULATION BY SEPARATE DOCUMENT. SEE PLAN FOR EXISTING HYDRANT LOCATIONS.
- TYPE OF BUILDING CONSTRUCTION: TYPE VI, UNPROTECTED, UNSPRINKLERED, PER STANDARD BUILDING CODE.
- BUILDING OCCUPANCY CLASS: BUSINESS.
- THE SITE AND BUILDING COMPLIES WITH THE STATE OF FLORIDA HANDICAPPED ACCESSIBILITY CODES AND STANDARDS.
- THE PROPOSED BUILDINGS ARE ONE-STORY. THE HEIGHT OF THE BUILDINGS AT THE EAVE IS 11'-3".  
THE GROSS FLOOR AREAS ARE: BUILDING No. 1: 10,766 GSF; BUILDING No. 2: 10,731 GSF; TOTAL OF: 21,497 GSF
- ALL NEW TRAFFIC CONTROL DEVICES (SIGNS AND PAVEMENT MARKINGS) SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND FLORIDA D.O.T. STANDARDS.
- PROPOSED USE:

THE PROPOSED BUILDING USES WILL BE FOR MEDICAL AND GENERAL OFFICE.  
BUILDING No. 1: 8,746 S.F. OF GENERAL OFFICE AND 2,020 S.F. OF MEDICAL.  
BUILDING No. 2: 10,731 S.F. OF MEDICAL.

17. TRAFFIC STATEMENT:  
THE PROJECT TRAFFIC GENERATION IS CALCULATED FROM TRIP GENERATION RATES PUBLISHED IN THE INSTITUTE OF TRANSPORTATION (ITE) TRIP GENERATION, AN INFORMATIONAL REPORT, 6TH ADDITION.

LAND USE	BLDG SIZE	24 HOUR		AM PEAK HR	PM PEAK HR
		TWO WAY		ENTER/EXIT	ENTER/EXIT
MEDICAL OFFICE (720)	12,751-12,810	304		25/6	12/33
GENERAL OFFICE (710)	8,716	337		24/3	15/74
	21,497	641		49/9	27/107

18. PROPERTY DESCRIPTION
- DESCRIPTION: (O.R.B. 1197, PG. 0819)  
PARCEL 6545-55  
COMMENCE AT THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, RUN WEST 1852 FEET, THENCE RUN SOUTH 400 FEET TO POINT OF BEGINNING; THENCE RUN SOUTH 312 FEET TO STATE ROAD RIGHT OF WAY NO. 26, THENCE RUN NORTH 67 DEGREES 14 MINUTES WEST, ALONG SAID RIGHT OF WAY STATE ROAD NO. 26, 217.14 FEET; THENCE RUN NORTH 228 FEET; THENCE RUN EAST 200 FEET TO POINT OF BEGINNING, LYING AND BEING IN SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, ALACHUA COUNTY, FLORIDA.
- DESCRIPTION (O.R.B. 1997, PG. 0821)  
PARCEL 6545-53  
COMMENCE AT THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 10 SOUTH, RANGE 19 EAST, RUN WEST 2052 FEET, THENCE SOUTH 386 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 242 FEET TO NORTH RIGHT OF WAY LINE OF STATE HIGHWAY NO. 26; THENCE NORTH 67 DEGREES, 14 MINUTES WEST ALONG SAID RIGHT OF WAY 217.14 FEET; THENCE NORTH 158 FEET; THENCE EAST 200 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN ALACHUA COUNTY, FLORIDA.

19. NO GENERAL HAZARDS ARE PROPOSED FOR THIS PROJECT.
20. BUILDING AREA INCREASE CALCULATION:  
ACCORDING TO SECTION 503.3.2 AND TABLE 500 OF THE STANDARD BUILDING CODE THE AREA INCREASE IS AS FOLLOWS:  
 $I = 4/3[100(F - 0.25)]$

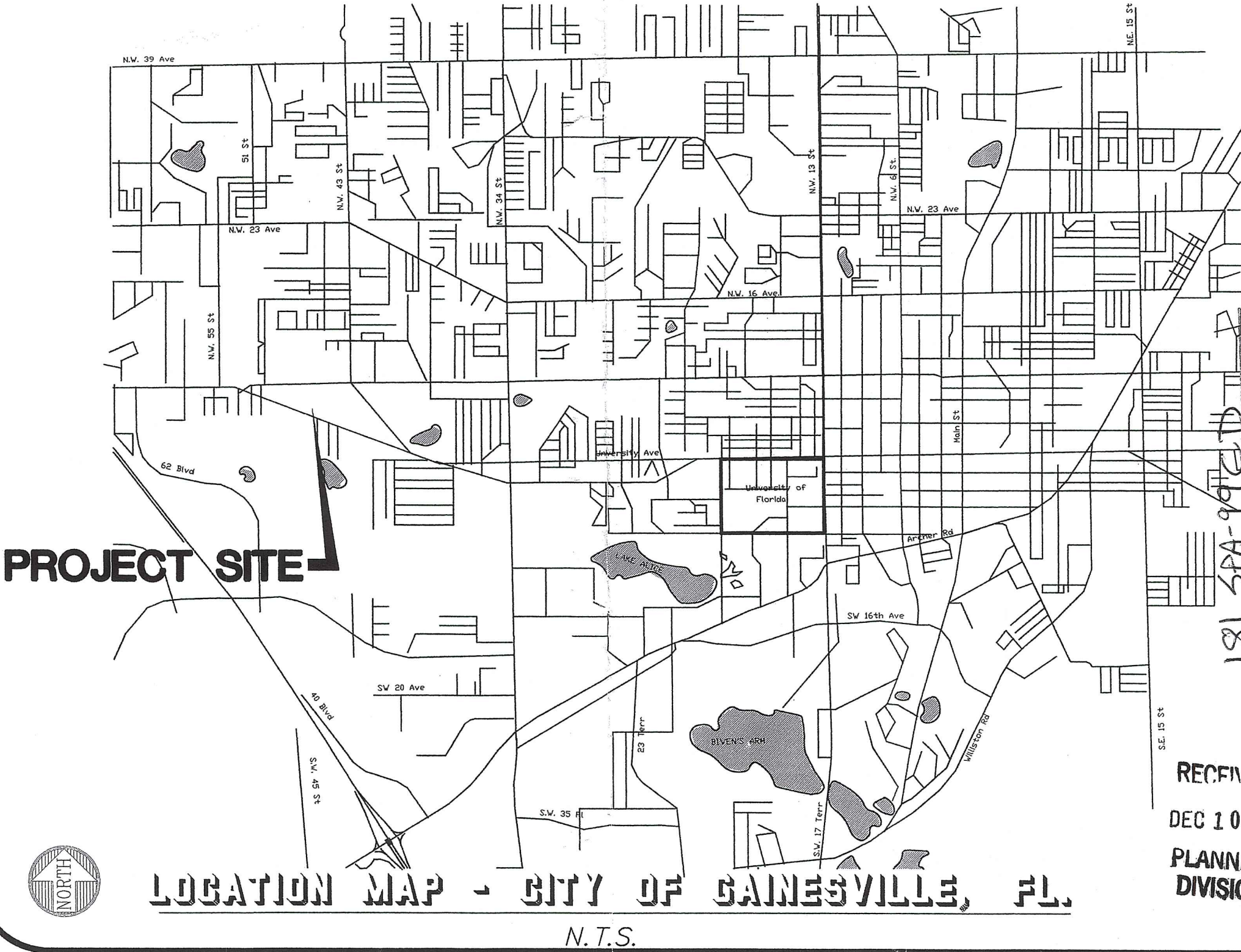
WHERE:  
 $I$  = PERCENT INCREASE OF UNSPRINKLERED AREAS IN TABLE 500  
 $F$  = BUILDING PERIMETER WHICH FRONTS ON STREETS, PUBLIC SPACES OR HORIZONTAL SEPARATION NOT LESS THAN 30 FT. WIDE.  
 $P$  = TOTAL PERIMETER OF BUILDING.

WEST BUILDING (No. 2)  
TOTAL PERIMETER (P) = 465 FT.  
FRONTAGE PERIMETER (F) = (2-SIDES) 232.7 FT.  
 $I = 4/3[100(232.7/465 - 0.25)]$   
 $I = 33.33$   
TYPE VI UNPROT.  
ALLOWABLE AREA = 9,000 SQ.FT.  
ALLOWABLE AREA WITH INCREASE 9,000 X 33.33% = 12,000 SQ.FT.  
BUILDING No. 2 BUILDING AREA = 11,937 SQ.FT.\*

EAST BUILDING (No. 1)  
TOTAL PERIMETER (P) = 479 FT.  
FRONTAGE PERIMETER (F) = (2-SIDES) 239.8 FT.  
 $I = 4/3[100(239.8/479 - 0.25)]$   
 $I = 33.33$   
TYPE VI UNPROT.  
ALLOWABLE AREA = 9,000 SQ.FT.  
ALLOWABLE AREA WITH INCREASE 9,000 X 33.33% = 12,000 SQ.FT.  
BUILDING No. 1 BUILDING AREA = 11,968 SQ.FT.\*

\*GROSS AREA CALCULATIONS INCLUDE THE OVERHANGS PER CODE.

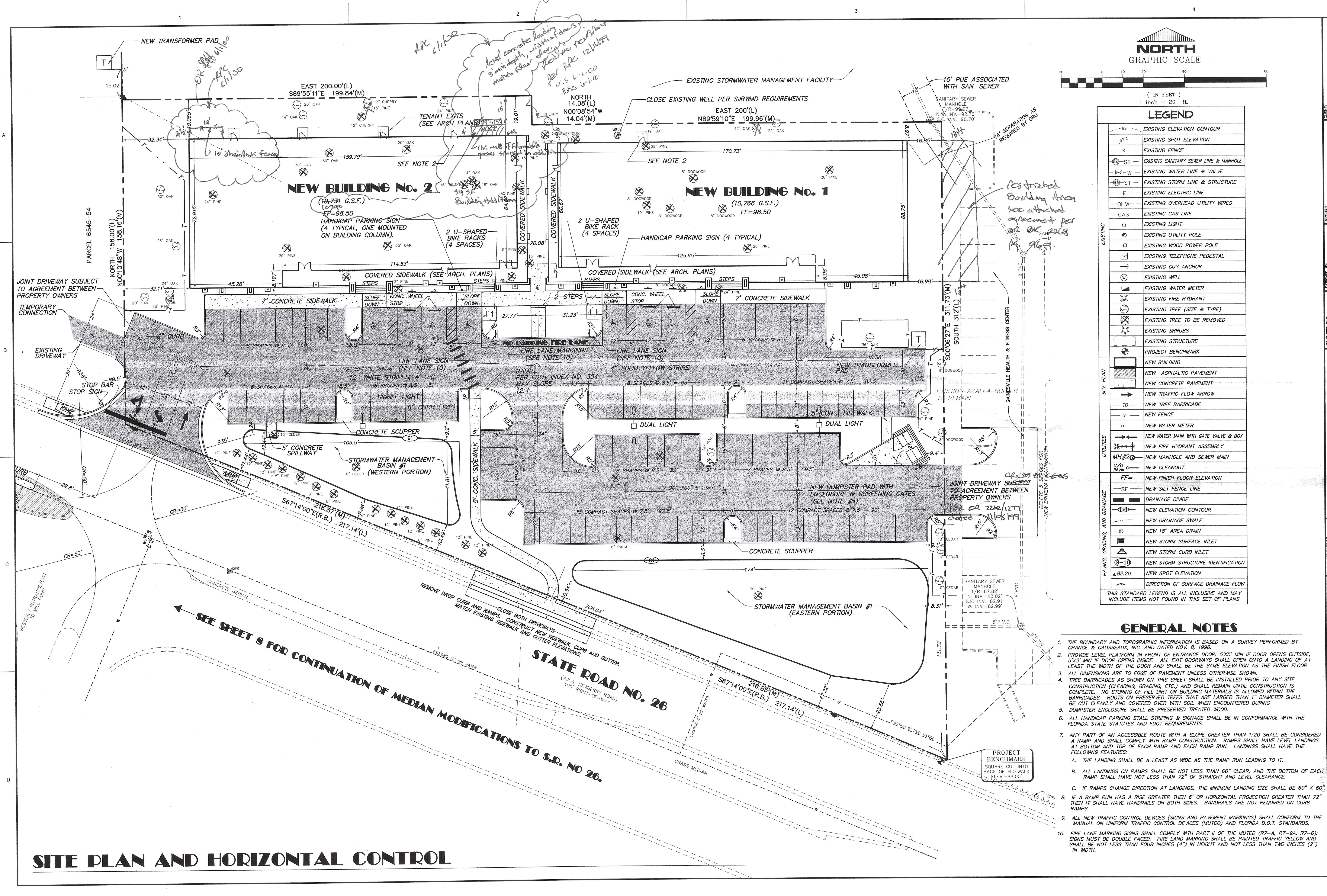
21. THERE ARE NO KNOWN SPECIAL FIRE PROTECTION CONCERNS SUCH AS FLAMMABLE LIQUIDS STORAGE TANKS, DRY CLEANING OPERATIONS, PAINT SPRAY OPERATIONS, MANUFACTURING PROCESSES, FURNACES, OVENS, COMBUSTIBLE STORAGE, ETC.
22. FIRE PROTECTION SYSTEMS PROVIDED IN THE STRUCTURE SHALL BE INSTALLED IN FULL COMPLIANCE WITH APPROPRIATE FIRE PROTECTION AND BUILDING CONSTRUCTION STANDARDS.
23. MEDICAL FACILITIES WITH X-RAY MACHINES ARE REGULATED BY THE A.C.E.P.D. HAZARDOUS MATERIALS MANAGEMENT CODE. THE OWNER IS RESPONSIBLE TO CONTACT (955-2442) PRIOR TO START OF ANY X-RAY OPERATIONS.



CLIENT	DR. WILLIAM VAN DYKE LARRY NEWMAN	SHEET NO.	99-407	1 of 8	
PROJECT	PROFESSIONAL COURTYARD CENTER	COVER SHEET			
DESIGNED BY	R.P. CAUSSEUX, PE	DRAWN BY	CHRIS STAPLER	CHECKED BY	R.P. CAUSSEUX, PE
COMPUTER FILE	99-407CVA.DWG	DATE	11/12/99		
ENGINEERING	Causeaux & Ellington, Inc.	Surveying	Planning		
6011 NW 1st Place, Gainesville, Florida 32607					
Phone: (352) 331-1976					
APPROVAL DATE:	12/21/99	CONTINGENT UPON:			
DATE	12/21/99	DATE			
REVISIONS					
RECEIVED	DEC 10 1999	PLANNING DIVISION			

181SPA-99 CD





**NORTH**  
GRAPHIC SCALE

( IN FEET )  
1 inch = 20 ft.

**LEGEND**

EXISTING	EXISTING ELEVATION CONTOUR
EXISTING SPOT ELEVATION	
EXISTING FENCE	
EXISTING SANITARY SEWER LINE & MANHOLE	
EXISTING WATER LINE & VALVE	
EXISTING STORM LINE & STRUCTURE	
EXISTING ELECTRIC LINE	
EXISTING OVERHEAD UTILITY WIRES	
EXISTING GAS LINE	
EXISTING LIGHT	
EXISTING UTILITY POLE	
EXISTING WOOD POWER POLE	
EXISTING TELEPHONE PEDESTAL	
EXISTING GUY ANCHOR	
EXISTING WELL	
EXISTING WATER METER	
EXISTING FIRE HYDRANT	
EXISTING TREE (SIZE & TYPE)	
EXISTING TREE TO BE REMOVED	
EXISTING SHRUBS	
EXISTING STRUCTURE	
PROJECT BENCHMARK	
SITE PLAN	NEW BUILDING
	NEW ASPHALTIC PAVEMENT
	NEW CONCRETE PAVEMENT
	NEW TRAFFIC FLOW ARROW
	NEW TREE BARRICADE
	NEW FENCE
UTILITIES	NEW WATER METER
	NEW WATER MAIN WITH GATE VALVE & BOX
	NEW FIRE HYDRANT ASSEMBLY
	NEW MANHOLE AND SEWER MAIN
	NEW CLEANOUT
	NEW FINISH FLOOR ELEVATION
	NEW SILT FENCE LINE
	DRAINAGE DIVIDE
	NEW ELEVATION CONTOUR
	NEW DRAINAGE SWALE
	NEW 18" AREA DRAIN
	NEW STORM SURFACE INLET
	NEW STORM CURB INLET
	NEW STORM STRUCTURE IDENTIFICATION
	NEW SPOT ELEVATION
PAVING, GRADING, AND DRAINAGE	DIRECTION OF SURFACE DRAINAGE FLOW

**GENERAL NOTES**

- THE BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON A SURVEY PERFORMED BY CHANCE & CAUSSEAU, INC. AND DATED NOV. 8, 1996.
- PROVIDE LEVEL PLATFORM IN FRONT OF ENTRANCE DOOR, 5'X5' MIN IF DOOR OPENS OUTSIDE, 5'X3' MIN IF DOOR OPENS INSIDE. ALL EXIT DOORWAYS SHALL OPEN ONTO A LANDING OF AT LEAST THE WIDTH OF THE DOOR AND SHALL BE THE SAME ELEVATION AS THE FINISH FLOOR.
- ALL DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS OTHERWISE SHOWN.
- TREE BARRICADES AS SHOWN ON THIS SHEET SHALL BE INSTALLED PRIOR TO ANY SITE CONSTRUCTION (CLEARING, GRADING, ETC.) AND SHALL REMAIN UNTIL CONSTRUCTION IS COMPLETE. NO STORING OF FILL DIRT OR BUILDING MATERIALS IS ALLOWED WITHIN THE BARRICADES. ROOTS ON PRESERVED TREES THAT ARE LARGER THAN 1" DIAMETER SHALL BE CUT CLEANLY AND COVERED OVER WITH SOIL WHEN ENCOUNTERED DURING CONSTRUCTION.
- DUMPSTER ENCLOSURE SHALL BE PRESERVED TREATED WOOD.
- ALL HANDICAP PARKING STALL STRIPING & SIGNAGE SHALL BE IN CONFORMANCE WITH THE FLORIDA STATE STATUTES AND FDOT REQUIREMENTS.
- ANY PART OF AN ACCESSIBLE ROUTE WITH A SLOPE GREATER THAN 1:20 SHALL BE CONSIDERED A RAMP AND SHALL COMPLY WITH RAMP CONSTRUCTION. RAMP SHALL HAVE LEVEL LANDINGS AT BOTTOM AND TOP OF EACH RAMP AND EACH RAMP RUN. LANDINGS SHALL HAVE THE FOLLOWING FEATURES:
  - THE LANDING SHALL BE AT LEAST AS WIDE AS THE RAMP RUN LEADING TO IT.
  - ALL LANDINGS ON RAMP SHALL BE NOT LESS THAN 60" CLEAR, AND THE BOTTOM OF EACH RAMP SHALL HAVE NOT LESS THAN 72" OF STRAIGHT AND LEVEL CLEARANCE.
  - IF RAMP CHANGES DIRECTION AT LANDINGS, THE MINIMUM LANDING SIZE SHALL BE 60" X 60".
  - IF A RAMP RUN HAS A RISE GREATER THAN 6" OR HORIZONTAL PROJECTION GREATER THAN 72" THEN IT SHALL HAVE HANDRAILS ON BOTH SIDES. HANDRAILS ARE NOT REQUIRED ON CURB RAMP.
- ALL NEW TRAFFIC CONTROL DEVICES (SIGNS AND PAVEMENT MARKINGS) SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND FLORIDA D.O.T. STANDARDS.
- FIRE LANE MARKING SIGNS SHALL COMPLY WITH PART II OF THE MUTCD (R7-A, R7-8A, R7-6); SIGNS MUST BE DOUBLE FACED. FIRE LANE MARKING SHALL BE PAINTED TRAFFIC YELLOW AND SHALL BE NOT LESS THAN FOUR INCHES (4") IN HEIGHT AND NOT LESS THAN TWO INCHES (2") IN WIDTH.

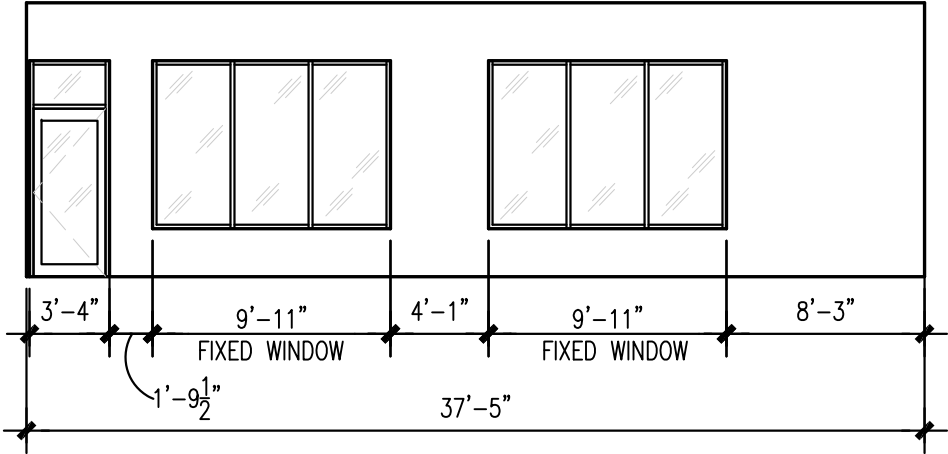
**SITE PLAN AND HORIZONTAL CONTROL**

CLIENT	DR. WILLIAM VAN DYKE LARRY NEWMAN	PROJECT	PROFESSIONAL COURTYARD CENTER	COMPUTER FILE	99-407ENADWG	DATE	11/12/99
DESIGNED BY	R.P. CAUSSEAU, P.E.	DRAWN BY	R.P. CAUSSEAU, P.E.	CHECKED BY	R.P. CAUSSEAU, P.E.		
SHEET NO.	99-407	SHEET TITLE	SITE PLAN AND HORIZONTAL CONTROL				
DATE	12/10/99	APPROVED BY	<i>[Signature]</i>				

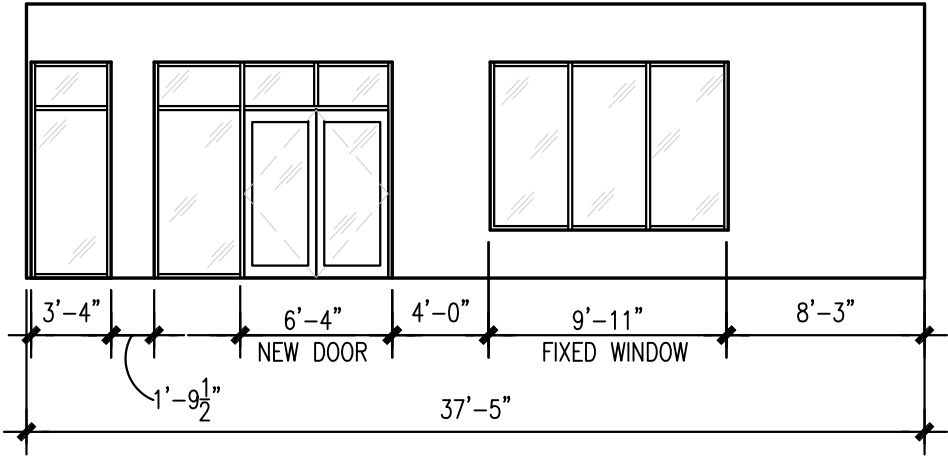


Attachment 3 - Proposed revised front elevation for new door entry

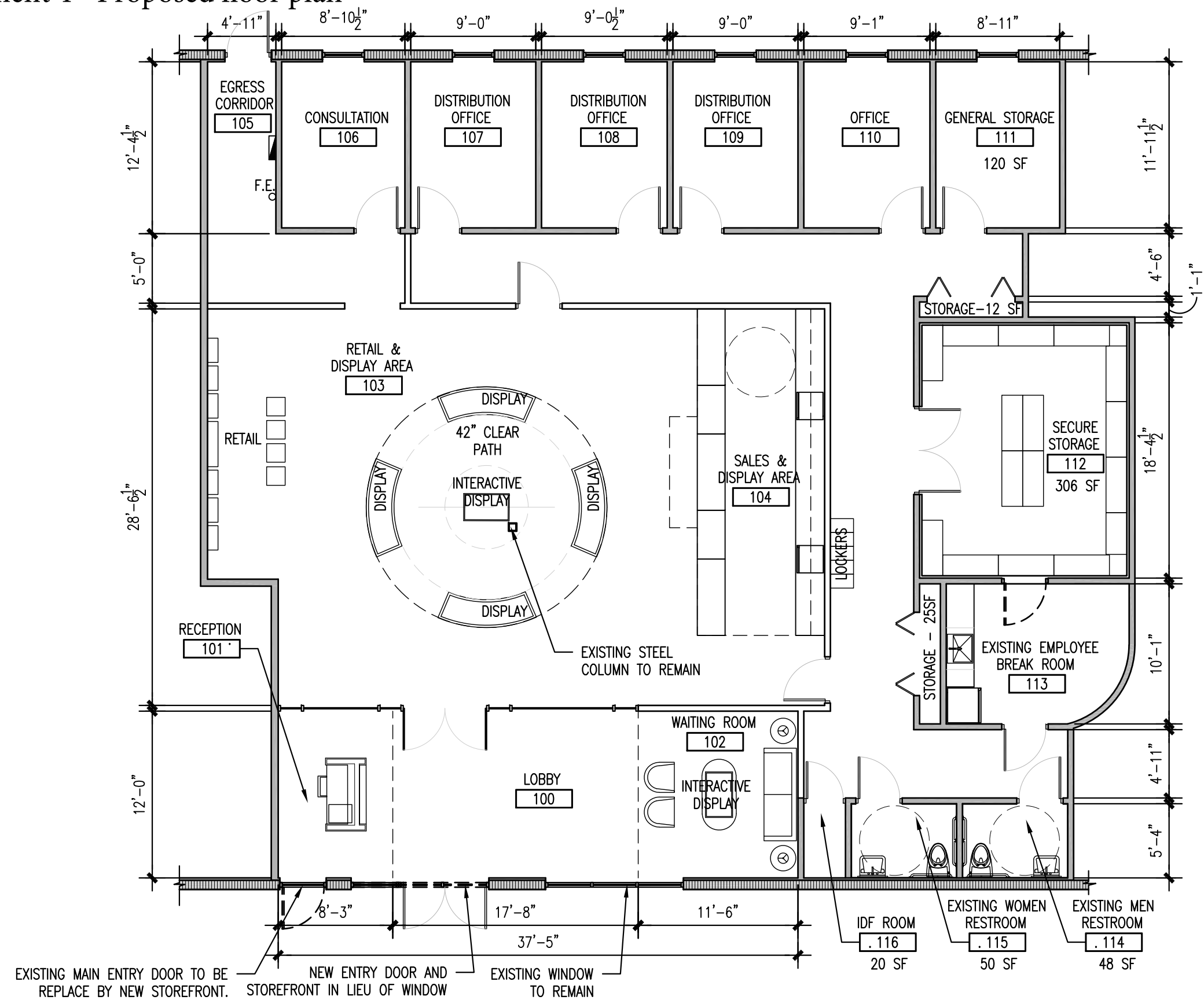
EXISTING ELEVATION



NEW ELEVATION



Attachment 4 - Proposed floor plan



**GrowHealthy Gainesville**

4880 W. NEWBERRY RD, GAINESVILLE, FL 32607



62 Highland Avenue,  
Manchester Center, VT 05255



260 Andalusia Avenue,  
Coral Gables, FL 33134

**CONCEPT FLOOR PLAN**

Scale :1/8" = 1'-0"

**November 16th, 2018**