



City of Fort Lauderdale

Medical Cannabis Ordinance Planning and Zoning Board

Tuesday April 18, 2017

Brief History

2014- Florida Legislature passes and creates process for the Low THC for specific illnesses called the Compassionate Medical Cannabis Act

2015- Department of Health establishes the Office of Compassionate Use

2016- Florida Legislature further amended the requirements to address Medical Cannabis

2016- Voters pass Amendment 2 which allows other forms of medical cannabis and extends list of patients who qualify for the use

2016- Amendment 2 also requires the Florida Department of Health to create rules to monitor and regulate the use

State Requirements

F.S. Statute 381.986 establishes statewide Regulations for the Physician:

- Physician Penalties for Non-Compliance
- Requirements for the Department of Health for monitoring the Dispensing Organizations including Cultivating, Processing, Packaging of the Product
- Security Requirements
- Hours of Operation
- Operational Requirements for the Dispensaries
- Inspection and Enforcement

Municipality Requirements

F.S. Section 381.984.8(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

Proposed Ordinance Format

- Regulated Uses
- Definitions
- Zoning Requirements
- Review Process

Ways to Regulate

- 1) Treat as a permitted use (pharmacy) with some minor operational requirements
- 2) Allow in specific zoning districts with separation requirements
- 3) Limit to a specific number by City or District

Zoning Districts Permitted

Creates Unified Land Development Regulations (ULDR) Section 47-18.46 for Specific Uses, Medical Cannabis

Dispensing Facilities Permitted in B-1, B-2 and B-3
(subject to separation limitations)

Zoning Requirements

Dispensing Facilities Shall be subject to the following requirements:

2. Distance Separation Requirements

a. One mile (5,280 feet) from any other dispensing facility;

B-d. 1,000 feet of the property line of any school, child care facility, park or library

e. Separation measured from closest point of the unit to the affected property

f. Includes those uses outside the City boundaries

3. **Hours of operation** - facilities dispensing low-THC or medical cannabis shall only be allowed to operate between the hours of 7:00 a.m. and 9:00 p.m. daily, as provided by Section 381.986, Florida Statutes

4. **Parking** - same as retail/office space at 1 space per 150 square feet (same as medical)

5. **Drive-through facilities are prohibited**

6. **Marijuana plants, products, and paraphernalia (and depictions thereof) shall not be visible from a public sidewalk or public right-of-way.**

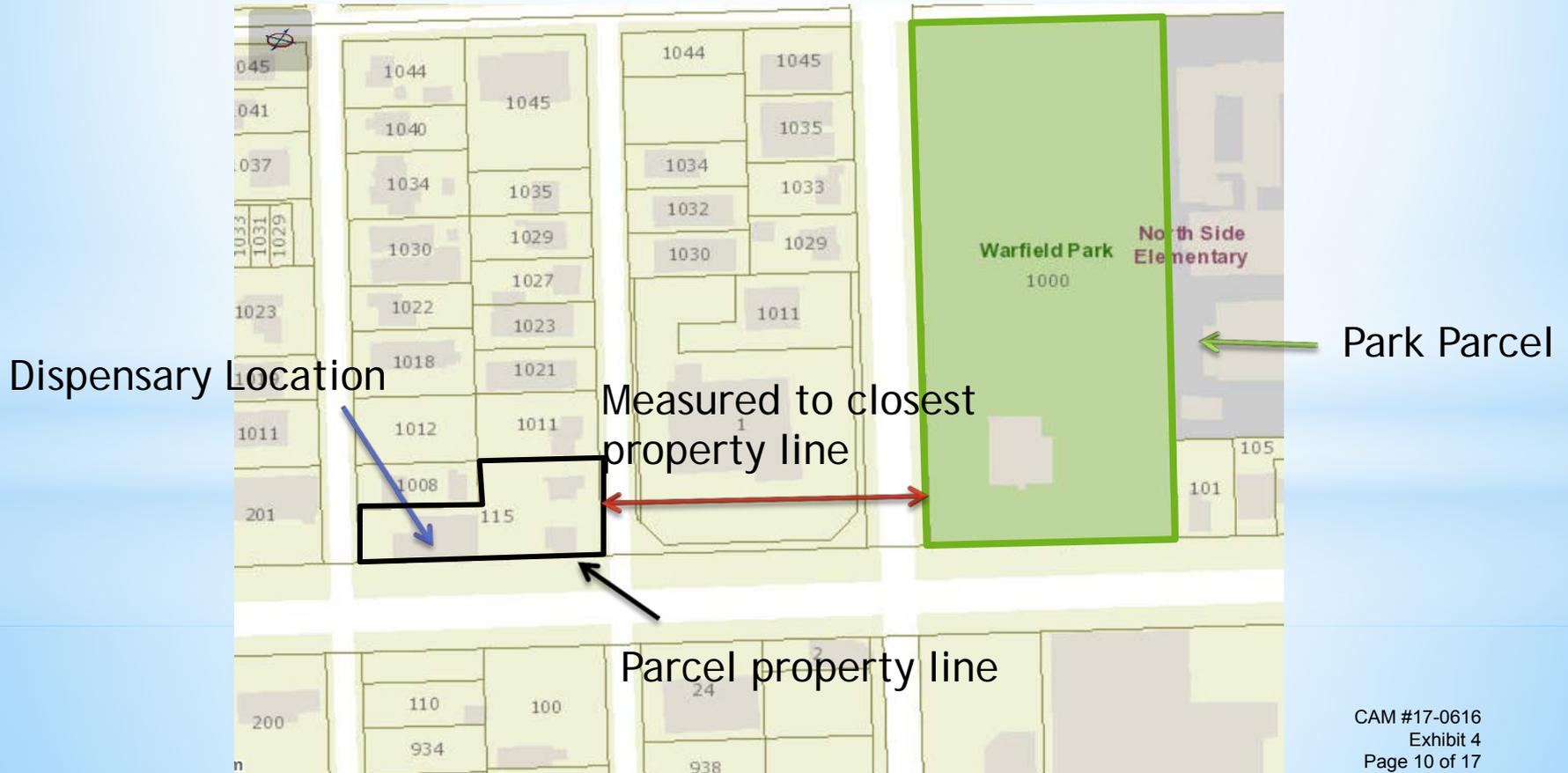
7. **Odor and Air Quality.**

8. **Allows home delivery (in accordance with State Regulations).**

9. **All other uses related to Cannabis prohibited.**

Separation Distance (Original)

47.2.2.B. Distance requirements. When measuring separation distance of uses, the Code requires the use of "airline measurements" which refers to the closest points of the parcel property line(not the building) unless specifically stated otherwise.



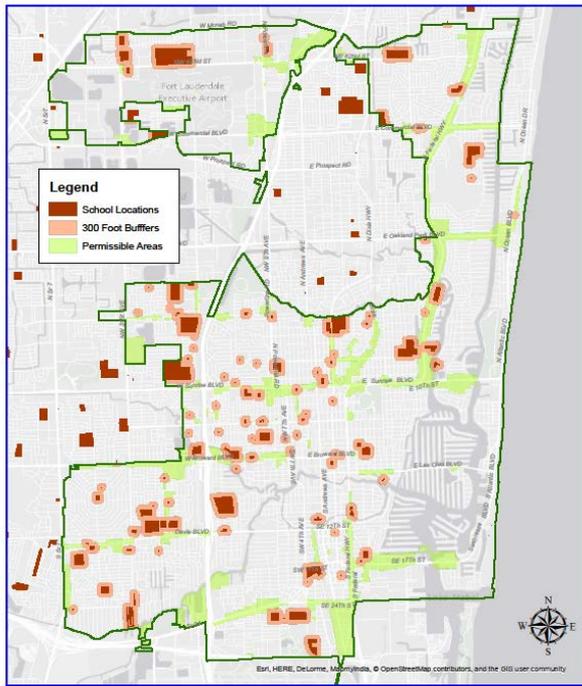
Separation Distance Example Options

Options reviewed for distance separation of:

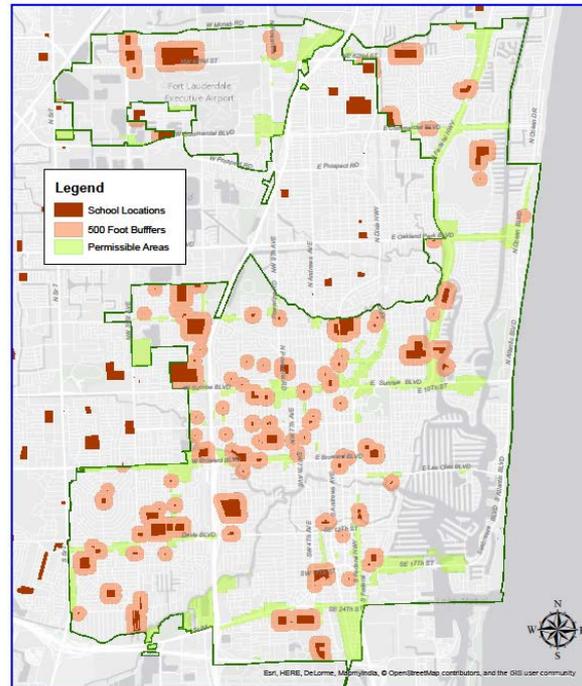
300 feet

500 feet

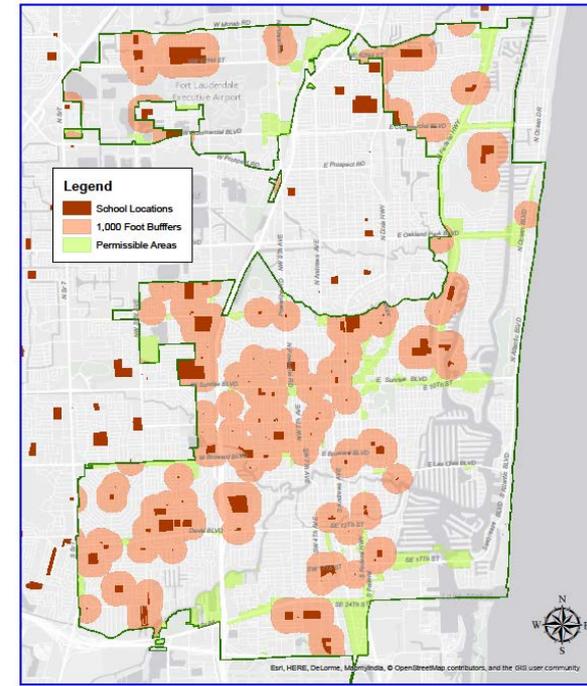
1000 feet



 **Proposed Buffer Schools & Daycare - 300 FT.** 
0 3,000 6,000 Feet
GRAPHIC SCALE
Fort Lauderdale 2/12/2017



 **Proposed Buffer Schools & Daycare - 500 FT.** 
0 3,000 6,000 Feet
GRAPHIC SCALE
Fort Lauderdale 2/12/2017



 **Proposed Buffer Schools & Daycare - 1000 FT.** 
0 3,000 6,000 Feet
GRAPHIC SCALE
Fort Lauderdale 2/12/2017

Review Process

1. Site Plan Level III
2. Certified Survey to validate separation
3. Security Plan
 - a. lighting, alarm, vault, cameras
 - b. Police Department Review
4. Secure Location based on date of approval of Conditional Use. If approved the same day, then based on when application was deemed complete

Feedback from Other Public Meeting

- Met with Industry Stakeholders on February 13th.
The general feedback received indicated the participants would like to see reduced standards from those proposed at the meeting.
- Met with Council of Fort Lauderdale Civic Association on March 14th.
The comments and feedback from the members ranged from those who very supportive and were in favor of maximizing the opportunities for these facilities to operate to those members who advocated for a more cautious approach to allowing for the facilities within the City.
- Will have one more Open House Meeting on April 24th.
Will go over these regulations and hear additional comments

Next Steps

- Public Meeting on April 24th
- City Commission anticipated for May 2nd and May 16th
- Possible Changes to the Code of Ordinances to address Security and Operations of the facilities

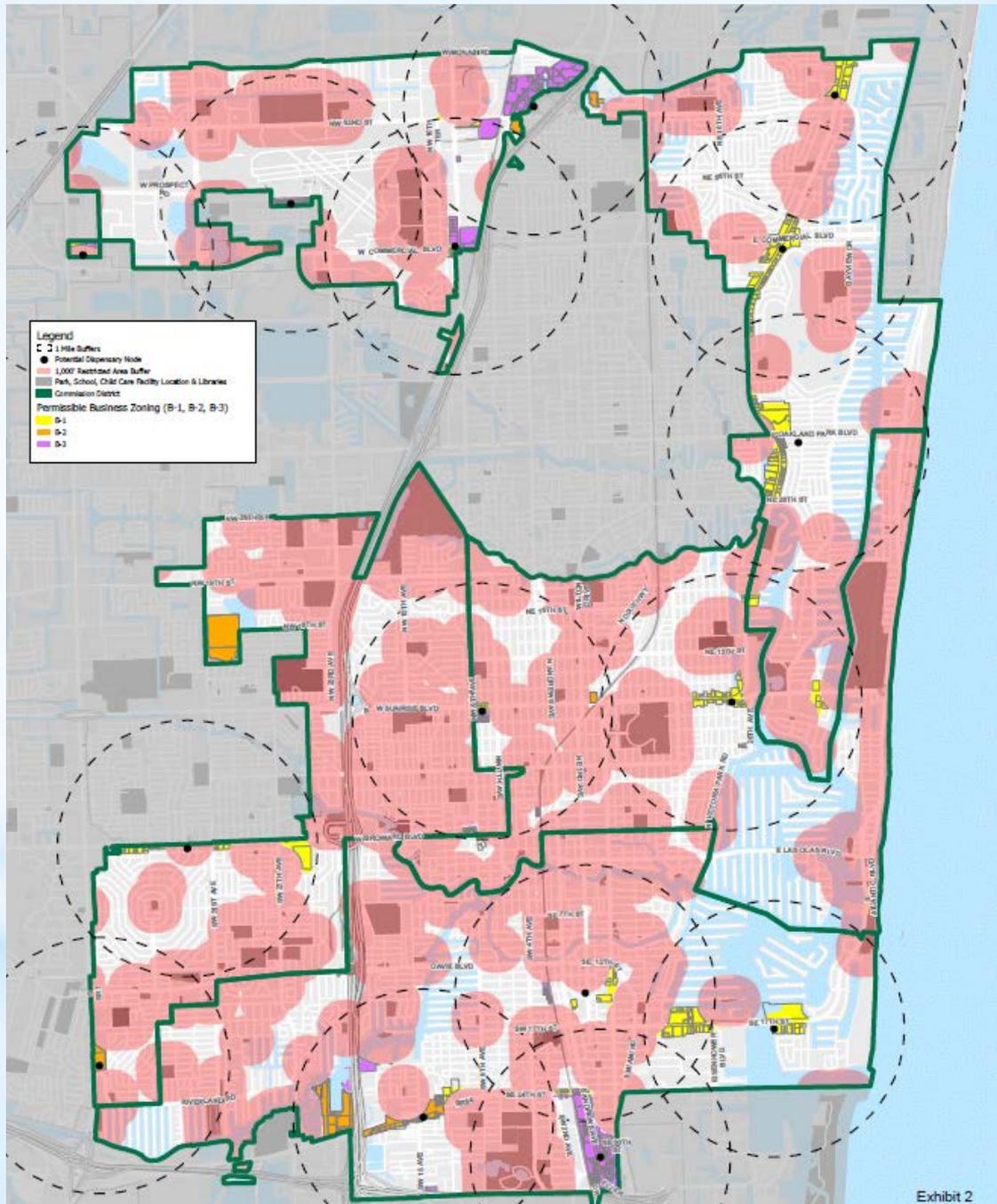


Exhibit 2

Questions and Comments?

Eric Engmann, AICP | Planner III

City of Fort Lauderdale | Department of Sustainable Development

700 NW 19th Avenue | Fort Lauderdale FL 33311

P: (954) 828-5868 E: eeingmann@fortlauderdale.gov



DEPARTMENT OF
**Sustainable
Development**