



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#17-0077

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: January 18, 2017

TITLE: Ordinance Establishing a Moratorium on the Cultivation, Processing,
Dispensing or Retail Sale of Cannabis for a Period of 180 days

Recommendation

It is recommended the City Commission adopt an ordinance establishing a moratorium on the cultivation, processing, dispensing or retail sale of cannabis for a period of 180 days to allow City staff time to draft a Unified Land Development Regulations (ULDR) amendment to address these uses.

Background

On November 8, 2016, Florida voters approved Amendment 2 to Article X of the Florida Constitution excluding from criminal or civil liability or sanctions under Florida law the use of medical marijuana by a qualifying patient and certain activities of caregivers, physicians or Medical Marijuana Treatment Centers, their agents or employees, in compliance with Amendment 2.

Section 47-1.14 of the ULDR provides that where a zoning district within the City contains a list of permitted and conditional uses and that any use which is not specifically listed and not substantially similar to those uses listed as permitted or accessory within a district, shall be deemed prohibited as interpreted by the City's Zoning Administrator. The Zoning Administrator has determined that there are no zoning districts within the ULDR that allow the cultivation, processing, dispensing or retail sales of cannabis.

The City Commission at its Conference Meeting of November 15, 2016, directed staff to develop regulations regarding cannabis related uses and imposed the zoning in progress rule.

The moratorium will maintain the status quo, while City staff conducts an analysis to determine the effects of any use that involves the cultivation, processing, dispensing or retail sale of cannabis as they relate to crime, demand on City services, surrounding property values, traffic congestion, and on other aspects of health, safety and welfare.

The proposed ordinance addressing the moratorium was reviewed by the Planning and Zoning Board (PZB) on December 21, 2016, and was recommended for approval by a vote of 6-0.

City Staff has initiated researching and preparing a draft ordinance amendment to regulate cannabis uses. The proposed amendment will require a recommendation by the PZB and approval by the City Commission in order to take effect.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Neighborhood Enhancement Cylinder of Excellence, specifically advancing:

- Goal 6: Be an inclusive community made up of distinct, complementary, and diverse neighborhoods.
- Objective 1: Evolve and update the land development code to balance neighborhood quality, character, and livability through sustainable development.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Community*.

Attachment

Exhibit 1 – Proposed Ordinance

Prepared by: Eric Engmann, Planner III (Assistant Zoning Administrator)

Department Director: Anthony Gregory Fajardo, Sustainable Development