



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
CONFERENCE MEETING

#18-0888

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

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

DATE: August 21, 2018

TITLE: Status on Medical Cannabis Dispensing Facilities Use

On May 16, 2017, the City Commission approved an ordinance establishing regulations for locations, operation standards, and criteria for Medical Cannabis Dispensing Facilities in the Unified Land Development Regulations (ULDR). The regulation focuses on distance separation requirements and specific use criteria that address neighborhood compatibility aspects. A summary of the proposed regulations is provided below.

Permitted Zoning Districts

Medical Cannabis Dispensing Facilities require a conditional use permit approval and may be requested in the following zoning districts subject to distance separation requirements:

- Boulevard Business (B-1);
- General Business (B-2), and;
- Heavy Commercial/Light Industrial (B-3).

These zoning districts are typically located along major commercial corridors as well as in light industrial areas of the City.

Distance Separation Requirements

The ordinance includes the following separation criteria:

- Five thousand two hundred eighty (5,280) feet (one mile) from another medical cannabis dispensing facility;
- One thousand five hundred (1,500) feet from a school or child day care facility;
- One thousand five hundred (1,500) feet from a park;
- One thousand five hundred (1,500) feet from a library;
- The separation shall be measured from the closest point of the facility where the medical cannabis is dispensed to the closest property line of the property for the school, child day care facility, park or library; and,
- This separation will include those uses listed above in adjacent municipalities and unincorporated areas of Broward.

Maximum Number of Facilities

The ordinance also includes the following criteria:

- No more than one (1) medical cannabis dispensing facility shall be permitted for every forty thousand (40,000) residents as determined by population figures published by the United States Census Bureau; and,
- No more than one (1) medical cannabis dispensing facility shall be permitted to be located within each City Commission District.

Review Process

The review process for Medical Cannabis Dispensing Facility is by conditional use permit approval process as defined in ULDR Section 47-24.3.A. The conditional use review requires specific use criteria that address neighborhood compatibility in addition to the Public Participation criteria, and a public hearing and approval by the Planning and Zoning Board.

In instances where multiple dispensing facilities seek to operate at or near the same location, the ordinance established a process for selecting which facility would be permitted. If two (2) applications for medical cannabis dispensing facilities propose locations within a distance of five thousand two hundred eighty (5,280) feet (one (1) mile) and are approved at the same planning and zoning board hearing, then the first application that has been deemed complete pursuant to Section 47-24.1.I. will be granted the conditional use permit as to meeting the distance separation requirements of Section 47-18.46.C.2.

Current Applications

Currently the Department of Sustainable Development has received 2 applications for a Medical Cannabis Dispensing Facility. The addresses are:

- 4500 North Federal Highway (Case No. R18051);
 - Reviewed at Development Review Committee (DRC) on August 14, 2018; and,
- 2949 North Federal Highway (Case No. R18063);
 - Tentatively scheduled for September 11, 2019 DRC.

Both locations are within B-1 zoning districts and in Commission District 1.

Please note that we are aware of two (2) other potential applications in District I, but have not received application submittals at this time.

To review the adopted ordinance regulating Medical Cannabis Dispensing Facilities, please refer to Exhibit 1.

Attachment

Exhibit 1 – Medical Cannabis Dispensing Facilities Ordinance

Prepared by: Karlanne Grant, Planner III

Department Director: Anthony Gregory Fajardo, Sustainable Development